**IN EFFIGY
SERIES PREVIEW**

JIM NEPSTAD: Has anyone talked to you about Terry Tempest Williams? You know, she was here for a book signing this summer and it was just a stunning event. I mean, it was just a packed auditorium. She walked in. Of course we gave her a nice introduction. And when she got up to do a talk at the book signing that we hosted, she started off her presentation. And she – just like I am right now – had a very difficult time holding it together.

And she sat there and she fought back tears for literally, I mean, it was silent for probably two or three minutes. I mean, it was one of those uncomfortably long pauses as she struggled to compose herself. And she said, "You know, my husband and I have traveled all over the world. We have been in countless places, in countless parks." And she said, "I can honestly say, Effigy Mounds is, in the opinion of both my husband and I, one of our top five places anywhere in the world."

And having somebody of her stature say that, you know, it just, and I can just feel, you know, feel it pouring over the rest of the staff too, that finally somebody is saying something nice about us. This park has been dragged through the mud. And this is hard to talk about. You know, Effigy Mounds has become a verb. And in a lot of ways, it shouldn't, you know, because it was people that did this.

This isn't an Effigy Mounds thing. This isn't a Midwest Region thing. This is a National Park Service thing. You know, it wasn't Effigy Mounds that did this.

END

**EPISODE 1
BEST JOB THERE EVER WAS**

BOB PALMER: First time I ever visited this park was the 18th of July, 1970. I was four years old. And the reason I can remember the day is because it was my dad's birthday. And so we came out on a hike on his birthday down here. I remember it because we walked up to the top of the bluff and it was a very long walk, and I wasn't wearing shoes and all these things that kids do. And I just remember it being a really neat experience.

We were on a guided hike. And the ranger that led the hike, I can remember clearly a couple of the stories that he told. And more interestingly, when I came back to work here in the 1980's as a seasonal ranger, he was still here. And he worked here from like 1967 to 1993, and he taught at the high school in Waukon. Like I said, I can remember very clearly a couple stops along the way and what he actually talked about.

I was sitting in a computer class at the high school in April, and it was a rainy day. And looking outside and thinking, even though it's rainy, I would rather be out there than sitting in front of an Apple IIe computer writing a program to shoot lines across the screen. And at the time, in that class, a good friend of mine was in there. And her name was Heidi Munson. And Heidi and I had went to school from first grade on.

And Heidi's dad, Tom, was a superintendent here. And so I asked Heidi, "How would I get a job down there?" She said, "Well, the ranger jobs are all filled. But they've got a youth program this summer and so why don't you just go down and see Dad and see what you can find out." So I came down and visited with Tom, and he told me about the YCC program, and so I put in for it. And I got the job and started working YCC, making three dollars and 35 cents an hour and thinking I had the best job there ever was.

And I owe my career to Tom Munson. I owe my Park Service career to Tom Munson. Like people at that age do, I went off to college. And eventually, in 1987, got a seasonal job here and came back to work as a Seasonal Interpretive Ranger in 1987. And that first season, there were several of us hired.

There was myself, there was also a woman named Sharon Wubbon who was hired, who later became Sharon Greener. So we were the new hires that year. My goal at that point in time, which seemed unachievable, was to get a permanent job working for the National Park Service and become a ranger at Effigy Mounds.

That was my goal. And in those days, similar to today, there were no direct paths to that. So you know, you get qualified as a firefighter and you then kind of set off on a journey to other places to raise your skill level. And I ended up in Northern Virginia working on the G.W. Parkway and eventually got a job with the IRS working as a clerk typist, which got my status, which then got me into the door of the National Park Service.

And then, then from there, I had gotten a graduate scholarship and I was off to University of Auckland in New Zealand to do my master's degree. And it was always kind of, you know, it was always, it was always in my mind. I wanted to come back. I wanted to be the ranger here. In December of 1999, I came to Effigy Mounds as the Interpretation Law Enforcement, Resources Management, Subject to Furlough Permanent GS-9 Ranger.

Kate Miller was the superintendent at the time, and she was headed out the door. Mardi Arce was the Chief Ranger, and she had accepted another position and she was headed out the door. So when I arrived, Kate was already gone, and Mardi was there for I think three days before she left. And then I was only there for a week, because I had to get on a plane to get back to New Zealand because my wife and I were getting married.

Went on furlough and went back to New Zealand, got married, and came back. And the new leadership was in place, which was Superintendent Phyllis Ewing. And so that then began, that was in February or March of 2000 that that began what I would kind of call the modern era of my involvement in the park.

The first time I met Phyllis was when I had come back from New Zealand, just had gotten married. And she brought me into her office and she said, "Well, I just want to be clear on how we do things here." And I thought, well, this is kind of odd. First time I've met this person and it feels like I'm kind of being read the Riot Act. And she went on to describe that we do this and we don't do that.

And that basically, I would say her objective was to make sure that I understood that she was the boss, and that she was in charge. And it didn't take, I mean, I knew the answer to this before I left her office. There were people here in the park that were unhappy that I had come back, for a multitude of reasons, in that I had clashed with various people here during my time as a seasonal ranger over a variety of things.

What was obvious to me was that they had gotten to her. And they had convinced her that this person, me, can't be trusted, will think that he's going to run the park, and that you need to put him on a short leash. In my view, that's what she was attempting to do. It was clear that there was already forming an agenda as to how things would be done. And incidentally, while I had been away, they had announced the Chief Ranger position for here. And I had applied for it.

And after that meeting, within a day or two, I withdrew my application because number one, obviously I didn't stand a chance, and number two, in the course of a day, it became apparent to me I didn't want to report directly to this person.

END

**EPISODE 2
MARGINALIZED**

BOB PALMER: It becomes immediately clear to me that I'm going to be marginalized, you know, that my input is not wanted. When I was hired, I was told that the position is a ten month position, and if we have more, more funds, we'll try to get it to eleven, but you have to take a month off unpaid every year, one month. But it's for ten months for sure. OK, that's fine.

Within that first year, that went from ten months to six months, you know, in that there became a concerted effort to get me out. I remember going to a staff meeting and being involved in a staff meeting, and something was being talked about, and I, again, I can't even remember what it was, but I was opposed to it, and what was, what was always interesting is with, in situations like that, Phyllis would just, Phyllis would sit there and Sharon Greener, her voice would get louder and louder and louder.

And it became apparent that the voices that Phyllis listened to were the loudest voices, not necessarily the ones with reason. And so it became quickly apparent that Sharon Greener and Tom Sinclair, the Chief of Maintenance, were the ones that had Phyllis's ear.

KEN BLOCK: I came to the park in May, late May of the year 2000. I had been a District Ranger, Interpretation on the South Rim of the Grand Canyon. And I applied for the job at Effigy Mounds National Monument, and when I looked at the announcement, it said the Superintendent Hiring Official was Phyllis Ewing, who I had worked with at Valley Forge National Historical Park back in, starting in 1986 or '87, I believe.

One of the things that happened at Valley Forge that fits in later into the story, which is incredibly important context is that the thing, the dynamic that we had with Phyllis at Valley Forge is that she loved the maintenance guys. And she really liked them, and supported them, and thought they did a great job, and were always understaffed, and needed better equipment. And she's an Iowan, she worked with her hands, and she really took to the maintenance guys. So here I am, week one at Effigy Mounds National Monument, I met Bob, and Bob came off as a pretty damn intelligent guy, you know, and intimidating in a way, you know, but very pleasant.

I guess he was hired back by Kate Miller, who seemed to like Bob, I think. She had glowing things to say about him when I met her at some of the Special Events we had in the ensuing years. And she brought Bob back, but he was not liked by Tom Sinclair, Sharon Greener. They despised him. It was apparent he could do no right here. He could only do wrong.

BOB PALMER: Ken Block arrives as a Chief Ranger, and he had worked with Phyllis at Valley Forge in the 1980s and so he was excited to get here, you know, "Oh, yes, I've worked with Phyllis, she's, you know, kind of grandmotherly, but great, you know, I really liked working for her." And within six weeks, no more than six weeks, he was, he was beside himself because he would go to meetings as a Chief would be expected to, and he would present his point of view and what he wanted to do as Chief, particularly in Interpretation, and the meeting would end, and then Sharon Greener and Phyllis Ewing would hop in Phyllis's car and go out for lunch, and come back and, "No, Ken, sorry, we can't do this."

You know, and it became apparent to Ken, and it became apparent to everybody else that the management of the park was going to be run by a select group of people, and that what happened here would be whatever they decided, and that input was not sought, was not wanted, and was not listened to when it was offered.

KEN BLOCK: It was, it was pervasive from top to bottom. We start doing Compliance. Phyllis sits down in a management meeting, so here's me, there's Sharon, Tom, Friday, and Rodney, myself, no Bob Palmer, he's never allowed in. Now Bob's got a degree in Anthropology. Shouldn't he be on the-, he should be on the review, the Compliance Review Team, nope. And I know why, 'cause Sharon and Tom would never have accepted that.

BOB PALMER: When Jackie St. Clair was here as a Cultural Resource person, Kate Miller had assigned her as the Compliance Officer, but within six months of Phyllis being here, that was taken away from Jackie, and it was taken away from Jackie because it's taking too long.

KEN BLOCK: Phyllis said, "That's it. This is serious. We have to do-, we have to do Compliance. I am naming Tom the Historic Preservation Officer."

BOB PALMER: We will make him the 106 Coordinator. So here you have a situation where the person who is getting the money for the projects is also the Compliance Officer for the project. If you showed up 7:00 in the morning, you'd find Phyllis, Tom and Sharon standing around talking, and you'd walk in, and the conversation would end, you know. And then they would start kind of shuffling papers or whatever, and then Tom would leave. And so it was apparent to anyone that was watching what was, what was happening. They were, they were making the decisions for the day, the week, the year, and that was your management team.

Phyllis's, Phyllis's biggest fault probably would be that she, she chose to listen to voices that she shouldn't have. As a superintendent, you better have, you better have your head screwed on, because if you're coming into a park where you're coming in, where there's people that have been there forever, they're going to have their own agendas. Tom Sinclair's interests, you know, he had worked at Herbert Hoover National Historic Site down in West Branch. The park that he came out of was one that had an enormous maintenance operation, and so his objective, I believe, was to, was to recreate that here.

KEN BLOCK: We start allocating as much money as Phyllis could to Maintenance, and she was outwardly trying to get Sharon Greener a promotion, have her husband work here, and have a better life. Good for her.

BOB PALMER: Within nine months or so of working with Phyllis, Jackie St. Clair just couldn't take it, and went on for great success in the west.

KEN BLOCK: She loved it here, and she would have been great. We loved working with her. She was not being offered a job here. Phyllis kept trying to delay because she wanted Sharon to have the job.

BOB PALMER: They never refilled that position. So we've taken our ranger, our Law Enforcement Interpretive/Resource Ranger, we've cut him to six months. We've gotten rid of our Cultural Resources Manager position, and we don't have any money for beyond the bare bones for Seasonal Interpreters, but we have plenty of money for Maintenance. And so the thing was that, that I believe Phyllis felt accomplishing something had to be represented by something that manifests itself physically.

Boardwalks, trails, buildings, things like that. That shows you're getting things done. What's Sharon Greener's role in this? Well, who's, who's doing the Cultural Resources side of the house when we no longer have a Cultural Resources Manager? Sharon Greener. You know, back in the Collections Area, they do an inventory once a year.

Who is doing the inventory? Sharon Greener. But you need a second person to do an inventory. So who do you have doing the inventory with her? Bruce Greener, who is now a maintenance employee working here at the park. Of course all this is on overtime because it's extra. She had no qualifications. She had none.

But she's in a position where she can influence things. Phyllis's writing skills were not developed, one could say. Because of that, Sharon would rewrite all of her memos, Sharon would be writing all of her correspondence, so Sharon would know everything that was going on. So Phyllis developed a dependency on her, and I would suspect what probably happened is that since Phyllis had that dependency and had that level of trust, there was a mutually beneficial relationship between the two.

Sharon helps Phyllis and then Phyllis elevates Sharon.

END

**EPISODE 3
WILLFUL IGNORANCE**

BOB PALMER: Just as a side note, < EXEMPTION 6 > .

So yeah, we're connected to the area here. The irony of this is Phyllis grew up here too. Phyllis is from Waukon. This is a small community, you know. And if you want to know what's going on here, you go to the barbershop. And I would be in the barbershop, and the barber who went to church with her would say things like, "Oh yeah, Phyllis, she says the place basically kind of runs itself down there, that it's an easy job.”

< EXEMPTION 6 > because she had had a relatively short career, and a short career in leadership positions with the agency. I mean, within a period of being a permanent employee, within five years becoming a superintendent from starting out as a GS-5 Seasonal Interpreter at Valley Forge.

She rose rapidly. And so her stop here, I believe, was never intended to be forever.

JEFF RICHNER: I'm Jeff Richner, and I was a Project Archaeologist at the Midwest Archeological Center. That'd be in the mid '90s. I got involved at Effigy Mounds from time to time, trying to help them as they were planning projects and so forth in our review status. On multiple occasions, you know, we reminded Phyllis that it didn't seem like things were exactly perfect in terms of how they were conducting 106.

KEN BLOCK: They started enlarging the trail, the Fire Point Trail. They took the stone, you know, they had this beautiful-, just stone. They took it out. They took the tractor and the shovel and they widened it. They dug into the mound. And Rodney and I went up and we're like yelling, "You can't do this!" "What do you mean we can't do it?" "You have to get, archaeolo-, we have to do shovel tests." And he's like, "You guys are a bunch of sissies." He was like, you know, tough guy.

"We'll just do it. We'll ask forgiveness later. Get the hell out of here." And so we go and report that.

BOB PALMER: I remember walking up there with Phyllis and picking up stuff on the trail and saying, "See these rocks, Phyllis? They don't belong up here. These were in this mound, and somebody had placed them. You don't just find this stuff laying on the surface of the ground."

KEN BLOCK: Phyllis, they did the same thing. We didn't know it needed Compliance. We didn't know it was this and this and that.

BOB PALMER: And this is one of those occurrences where she had to contact MidWAC. She had to contact outside the park, because she knew that if she didn't, there were several of us that would.

JEFF RICHNER: She called and asked for assistance, because they were doing some trail work and it seemed like they hadn't done their proper diligence on it. And so I was assigned to drive over. I was invited to speak to the entire staff. And they went up to the maintenance area and brought the whole staff up there, the seasonals and everything. And I gave a fairly intensive review of the whole 106 process and how it works. The whole staff was there. Everybody was there.

Phyllis was right in the front row. Tom Sinclair, the Chief of Maintenance was there, along with all the seasonals.

KEN BLOCK: The whole maintenance team was trained. The whole core staff was trained, including Tom Sinclair. And they still went and did this stuff. They still didn't do Compliance properly.

BOB PALMER: Less than four months later, we're doing the same thing. And the same plea of ignorance, that oh, well, we made a mistake. We didn't mean to do this. It was a mistake. And that theme goes over and over and over and over again.

JEFF RICHNER: So it seemed that they did in fact know how things should be done, but that instead they cut corners to get projects done. You know, it's not an uncommon approach, because managers in some cases believe that archeology and history and landscapes and all this are an impediment to quote unquote getting the job done.

And what we always told them, and what I told them that day, was that no, this is how you do the job is that you plan and you get people involved and you end up with a better product. There were the in people and the out people at the park, and so people were marginalized, Palmer being one of them. That's how you can have things like this happen is if you don't use the expertise that's available to you. I mean his office was stuck in the basement basically.

And he didn't get invited to meetings. And he helped keep Phyllis out of trouble a couple of times, because he pointed out that what the park was doing was illegal. And, but his advice wasn't sought because he was viewed as an obstructionist rather than as a doer.

BOB PALMER: I wish I could tell you that it was apparent to me that these projects were not, Compliance wasn't being done. It wasn't apparent to me. What was apparent to me was that Tom Sinclair was in charge of Compliance. The projects were going ahead. Region was shoveling the money out.

KEN BLOCK: Tom Sinclair, he was actually always very proud that he could get money from the Regional Chief of Maintenance. He put project money in, he would get it. We don't know about Compliance because we're shut out of the loop. And we never saw any paperwork. We just assumed things were going to the SHPO's office and to the regional file. We just assumed. Why wouldn't we assume it?

BOB PALMER: It was just so much in your face that you couldn't begin to imagine that it wasn't, that things weren't being complied with. Best example of that that exists is outside the Visitor Center at the group of three mounds. The Chief of Maintenance went over one day in the fall, late in the fall, and dug a hole in a mound.

Dug a hole in the mound. And not like a hole like this. We're talking four foot wide.

And five foot deep, right into the center of the mound. You couldn't imagine that they would do this without having done Compliance. If you have a goal to be a superintendent beyond Effigy Mounds, how do you bolster your resume? Think about this. What you want to demonstrate in your resume is you want to demonstrate that you know how to manage facilities.

And what better way to do that than to develop facilities.

KEN BLOCK: They built the boardwalk. They got an award. They had a big ceremony for it. They built that thing. They found out later, Compliance wasn't done properly on it. That huge boardwalk and that bridge. They build the stage, the earthen stage. No Compliance done on that. I complained about the erosion in the trail by the three mounds, and Tom jumped all over me. That's taken care of. They already planned to build this boardwalk around the three mounds. We find out later, no Compliance done on that.

BOB PALMER: I worked here in 1984. At that time, you had Chief of Maintenance who was permanent. And you had four seasonal maintenance workers. That was it. Jump forward to the height of Sinclair and Ewing. I think at one point we had thirty maintenance people here. Well, what do you do with thirty maintenance people? A new maintenance facility was created. The boardwalks were created. Trails were created. You had massive widening of trails, building of roads.

These weren't roads built for visitors to drive vehicles on. These were roads built for maintenance vehicles to drive.

KEN BLOCK: They wanted to be able to drive their pickup trucks and their tractors anywhere in the park you could go. That's why the trails were lengthened, widened, and looped. And that bridge on the Yellow River was specifically built with the specs to hold their trucks. That's why it's that size. Not any bigger than they need it, but not any smaller that would've been less impactful.

BOB PALMER: The facilities budget in the park I would say probably tripled at the expense of everything else.

KEN BLOCK: I talked to the Chief of Maintenance because there was historic bridge abutments that were over fifty years, they were like a hundred years old. And he just said, "Well, now we're supposed to preserve those things. Work around them. But you know, if something happens, something happens." And you know, something happened and a bridge abutment got built over. See all these big, heavy construction in the woods right where those mounds are. And they're sinking, they're digging holes and putting sonotubes in and pounding posts and they're doing all this stuff. And I was like, oh my God! I couldn't hardly think in my office it was so loud.

BOB PALMER: There were all these calls put out by region asking for shovel-ready projects. Well, what does that mean? You know, I've never seen a definition of a shovel-ready project, but my understanding was that you had your Compliance done. Well, Effigy Mounds always had shovel-ready projects because we didn't do Compliance.

KEN BLOCK: That's outrageous. That's as ludicrous as it was. Well, it doesn't matter if it's an ancient Indian burial mound. It's all been farmed over, it's all been disturbed. Except for the exact mounds that we can see that are left themselves, we can build anywhere. That's what they were putting on. Categorical exclusion, disturbed lands. And did the form go to the regional office for review and filing? No. They put it, "Oh, we thought we only had to put it in our park file."

BOB PALMER: I will forever believe that these people were willfully ignorant. They knew what they were doing wasn't right, but they could claim that they made mistakes. Everybody had been trained but nobody was responsible.

END

**EPISODE 4
WE'RE ON OUR OWN HERE**

BOB PALMER: There was an incident here in 2003. I came into work one morning. I noticed there was a contractor in the park, and they're digging holes to plant trees out in the parking lot. Well, the parking lot was the site of a burial group, a burial mound group. There was over sixty mounds out in what's now the parking lot. And these guys are just digging holes and there's nobody watching them. So I walk up and say, "Hey guys, what's going on?"

"Oh, we're just planting some trees." And as I'm, you know, I'm looking in the hole and I'm seeing charcoal and fire cracked rock and things like that come out of these holes. And so I go into Phyllis, and I said, "You know, this shouldn't be happening." She said, "Well, Tom says we have a blanket 106 for the-, any ground disturbance in the, in the parking lot." And I said, "Well, you know, I don't know what a blanket 106 is, but I'll tell you what, I'm going to go out and screen the materials as they're coming out of the holes. I promise I won't get in their way, and just see what's there."

And she said, "Well, as long as you don't slow them down." So I do. I go out and I, you know, and I come up with a whole bunch of stuff. I find a piece of material which, to me, it had, it had all the characteristics of a skull fragment. And so I collect all this stuff, and I take this to Phyllis, and I said, "I'm not an osteologist," I said, "but this looks, you know, this looks like a-, like a skull fragment." I said, "And I don't want to break it," 'cause it was only, it was only, you know, the size of a dime. I said, "I don't want to try to break this or whatever to see what it is. We should probably have somebody look at this."

"OK, OK, I'll take care of it." And she takes it and sends it off to the State Archaeologists Office, and comes back, it's a piece of sherd. You know, it's a piece of rock. At that point, the narrative became that, that I was not only a troublemaker, but I was also incompetent, that I didn't know the difference between rock and human remains.

JEFF RICHNER: They could have easily, easily dug into a subsurface mound. There are remnants of mounds underneath the pavement in that parking lot. That could have had disastrous results. They could have dug right into a mound. They didn't, but it was just accident that that happened that way. So that was one incident where it was pretty obvious that Section 106 should have been applied rigorously. Even if there's a vague chance that there could be subsurface mounds, you know, that should have been investigated and studied with great intensity before anybody stuck a shovel in the ground.

BOB PALMER: So I write up a report about this, and it's like five pages. It describes what I found, describes kind of what appeared to be going on, and when they built this parking lot, they took and they shoved all the dirt from one end down to the other end to level things out, and what that told me was we could find human remains a quarter of an inch below the ground, because this stuff is probably spread all over everywhere, and so we need to be very aware of that in anything that we do.

And then I had a section in there, and I said, "You know, something we need to think about is having your Compliance Officer, your Section 106 Officer as your Chief of Maintenance," basically I said, "this is a problem. You know, in an archaeological park, this is unheard of. And in terms of scope, we're on our own here. You know, we're so far outside the bell-shaped curve that we should be concerned about this." And so I gave her that report, and hear nothing. Hear nothing.

So I had a contact in the Midwest Archaeological Center, so I sent them a copy of it. Earlier that year, something else had happened and so here we have a repeat, you know, in six months time, and Phyllis is like, "Oh, it's an innocent mistake. We need more training, we need more training." And so the result of that was me getting called into her office and getting a letter of reprimand into my file for not following the chain of command.

KEN BLOCK: Of course, Bob gets attacked for being subversive and trying to undercut the superintendent, and lying, you know, about this stuff, and it just turned around on Bob. Anything he tried to do, Phyllis wouldn't listen to, they'd shut down. If he went outside the park, he wasn't trying to hide it, very respectful, they came back in and they just lambasted him, everybody. Bob said nothing to undermine her, he was trying to help her, he was trying to do what a management assistant in a park or Chief Ranger or a law- would do.

BOB PALMER: You have no idea how many times we reached out, Ken and I in particular, to the regional office. We, Ken and I managed to get a Law Enforcement Program Review on the books for the Regional Chief Ranger. So he's coming out, and we're thinking, "Finally, thank God," you know. And he comes out, and Ken shows him into the maintenance office, the maintenance facility up there where the Chief of Maintenance is making dollhouses and rocking horses and all sorts of stuff, and talking about all the shenanigans that's going on here in the park, I mean, a lot of stuff.

And the Regional Chief's reaction to that was, "That's not why I'm here. I'm here to review the Law Enforcement Program. I'm not here to get involved in you guys' petty fights." So, he's here, and he goes away and doesn't do anything. What had always happened when we did this, in every instance, Region would leave and then things would get worse for us personally. You know, the screws would be tightened further. In one instance, when one of my kids was, was due to be born, they told Ken that, well, instead of letting him take leave, let's just put him on furlough. Then we don't have to pay.

'Cause he's going to be gone anyway. Those things continually wear on you, and wear you down, and just grind your soul up. And, you know, and it's done with, it's done with malicious intent, and it's done to belittle you on a personal level, on a professional level because they have an objective, and they're in a position of power.

It has significant impacts on your life. I've got a, I've got an incredible wife, and to this day, she still doesn't understand. She still doesn't understand why did we stay here, you know. Why did we go through this? Why don't we go back to New Zealand where she's from? Why are we here? Why are we enduring this? Why are you putting us through this? And it wasn't, I mean, you, you wish that you knew what the other reality looked like, you know. I've got to stop.

That's why I don't want to do this ever, ever again. It was, like all those things I said, that you, you don't want to, you just know, you just know that if you, if you give up and walk away, that they will disestablish my position the day I walk out the door, but I would never give up the position here because this place means too much to me.

And so you get to a point where you have to decide what, what you want. And for me, one of the things is I wanted to be able to go home every night and when I put my kids to bed, that they could look me in the eye and know that their dad was doing the best he could, and that he, that not only did he love, he loved his kids, but he was, he was a decent person who was trying to do the right thing.

END

**EPISODE 5
ALL HELL BREAKS LOOSE**

JEFF RICHNER, PROJECT ARCHEOLOGIST, MIDWEST ARCHEOLOGICAL CENTER, 1990-2015: At MWAC, you know, we dealt with superintendents over the years that were incredibly skilled, and we dealt with others that were less so. And it seems odd that Phyllis would be writing to me after the 106 stuff is starting to break down and ask me, "Well, how is this really done?" Well, I had already given them a lecture on it, and they'd had training. Tom Sinclair had come to our paraprofessional training in MWAC where we spent a week dealing with everything to do with 106.

And so, you know, I don't want to say anything that, that seems cruel, but it seemed like a level of ineptitude to me. And you would hope that superintendents, they can't possibly know everything about everything that is in their realm. It's too complicated. But it's not hard then to get the answer that you need. There's experts there to help you. I mean, she had a ranger on her staff that would have been able to help her on pretty much anything, and if he couldn't, he could call us.

But it struck me, she's asking me, and she's asking other people, "Well, how do you do this?" Well, you're years into your appointment and you don't know how to do one of the most basic things, and you've got your own Chief of Maintenance who's signing these, and he should know how to do it.

BOB PALMER, LAW ENFORCEMENT RANGER, EFFIGY MOUNDS NATIONAL MONUMENT, 2000-2013: That's, that's the mind-blowing part of this is that all the, all the warning signs were there for this agency. You know, when she was at Perry's Victory, the person that supervised her, the deputy superintendent said, "She has no critical thinking skills." Basically saying, "Don't, you know, she should not be put into a superintendency. She's not capable of that." So what do they do? They dump her here. And you know, that makes me angry, because why do we have to put up with that?

Why is it this park? You know, why do people in Region think so little of this place that they would dump somebody like that here, you know, and the effect that that has on not only the staff, but the tribes and, and everything, you know. That's, that's just, that is so irresponsible.

PALMER: So who blows the whistle on all this? It's the Chief of Interpretation for the Midwest Region, Tom Richter. He comes out and Ken and I, once again, go through the routine, showing him all this stuff. He goes back to the Region, instead of saying, "I'm not going to get involved in your petty things," says to the Associate Director, "You've got the inmates running the asylum out there. You know, that place is-, that's a park full of funhouse mirrors. It's insane." So they do an Operations Evaluation.

KEN BLOCK, CHIEF OF INTERPRETAION, EFFIGY MOUNDS NATIONAL MONUMENT, 2001-2011: Operations Evaluation, they like to send a team of regional experts.

[On Screen Graphic]

Effigy Mounds National Monument

Operations Evaluation

April 27-May 1, 2009

Team Leader: Jim Loach

Park Superintendent: Phyllis Ewing

Team

Team Leader/Management: Jim Loach, MWRO

Administration: Nancy Sanchez, SACN

Information Technology: Jeff Weber, MWRO

Interp/Edu/VIP/Coop.Assn.: Tom Richter, MWRO

Cultural Resource Mgmt: Ron Cockrell, MWRO

Natural Resource Mgmt: Chris Holbeck: VOYA

Maintenance/FMSS: Wolf Schwartz, BADL

Editor: Ramona Turner, MWRO

Editor/Coordinator/Mgmt: Mary Chandler, MWRO

Ranger Activities/Security: Hugh Dougher, MWRO

Environment/Hazmat: Mary Rozmajzl, MWRO

Wildland Fire Mgmt: Paul Mancuso, MWRO

Wildland Fire Mgmt: Cody Wienk, MWRO

Compliance: Hector Santiago, MWRO

Safety: (offsite) Dickie Brown, MWRO

Lands: (offsite) Dewayne Price, MWRO

KEN BLOCK: They pull people from parks and regional staff: archaeologists, architects, you know, engineers, maintenance facility, interpreters, historians, and they come and analyze what everybody in the park is doing, and if you're meeting, you know, our policy standards, and it's just a general overview of the park.

BOB PALMER: The Operations Evaluation comes to Effigy Mounds with Jim Loach, Tom Richter and Ron Cockrell, the Regional Historian. And it was dramatic. Jim Loach sat us all in the auditorium, and he stood up and he goes, "What we found here, that the misuse of government dollars, the overtime, the staffing, the allocation of all budget money to maintenance, I mean, he went through the litany of things. I mean, he was basically pointing at Sharon, Tom. And Jim Loach looked at Phyllis and said, "If I was the Regional Director, you would be packing your bags, 'cause you'd be fired as of this moment. I'd give you no time. You're off the payroll. Pack up your personal things and get off government property."

BOB PALMER: Jim Loach, he announces to the group, he said, "All these projects, they're stopping today. They're stopping today. And until we sort of what's going on." Within a week, Ken Block, he's videoing the construction still going on, after they leave.

KEN BLOCK: Phyllis kept lobbying and trying to keep her boardwalks. They had caught her, but she was trying to retroactively get them compliant, get them passed and complete them. She kept arguing, "This, you guys don't understand. People need access, the mounds are here, but these, this land is disturbed. This is OK. This stuff is fine."

BOB PALMER: You know, in hindsight, and hindsight is a wonderful thing, the region should have pulled her out of there that day. They should have said, "You are done." But instead, what they did is they sent various people out from the regional office to give the park training in Compliance and 106, and this continues.

KEN BLOCK: She did the superintendent thing. She called the regional director. And the regional director said, "OK, Phyllis, I understand what you're saying, I'm going to give you some time." But to her, it was not a year to clean up her mess and be compliant, it was a year to convince them that they still should build boardwalks. That's what she wanted to do.

BOB PALMER: It feels like abandonment, and it feels like that, that those that are in a position to do something about it are unwilling to, either... I don't know why. I mean, unwilling to, because, because maybe, I don't know, maybe the acceptance that a superintendent has failed would represent failure on their part. My experience has led me to conclude is that in cases like that where there might be a failing superintendent is that decisions are made to protect the reputation of the National Park Service at the expense of the resources of the national park system.

I'm not saying the reputation of the National Park Service isn't important, but there is plenty of GS-15s in Washington or in Omaha that-, or in any regional office, that will do their very best to protect the reputation of the National Park Service, and there has to be somebody that will speak for the resource.

KEN BLOCK: Phyllis was still working. Tom was still working. Sharon was still working, and I just said, you know, I don't want to see her fired, but she wouldn't resign, and we had blatant evidence of criminal intent.

BOB PALMER: I get a call from Ken, and he's just like, "It's all the same. They're not going to do anything. They're not-, they're doing nothing. They're doing nothing." And so at, at that point in time, and this to me is, for me, was the point where I stepped off the train, so to speak and I, I picked up the phone and I called somebody from outside the agency. That was Tim Mason. Then all hell broke loose.

BOB PALMER: I had known Tim since the summer of 1984. He was one of the seasonal rangers that was working here when I was in YCC. And I had watched Tim through the years be involved in, there was a Battle for Bloody Run, which is a road project that eventually went in. He fought against that. He's been an environmental activist his whole life. He's been an activist his whole life. I told him what was going on, because nobody knew. Nobody outside the agency knew any of this. I reached out to Tim knowing that he would, he would push this, and he's fearless.

TIM MASON: These clowns had no clearance whatsoever to do this, and if these people would have done this to the Tomb of the Unknown or a white military cemetery, they'd be in prison. It's disgustingly ugly.

BOB PALMER: It starts getting coverage in the media. The regional office starts getting calls. The regional director is getting calls. Tim Mason, he sends a letter to the Office of the Inspector General. So it starts.

DAVID BARLAND-LILES: I'm David Barland-Liles. I'm a special agent with the National Park Service. There's a case that's being transferred to us from the Office of Inspector General regarding a claim of waste, fraud and abuse.

TIM MASON: They committed federal crimes in an archaeological park. What isn't there to understand? You know, the Park Service got a lot, a lot on their hands to learn.

END

**EPISODE 06**

**CONTINUUM OF TIME**

DAVID BARLAND-LILES, SPECIAL AGENT, INVESTIGATIVE

SERVICES BRANCH: If it wasn't for Tim Mason, and his letter to the Office of Inspector General, we would have never been aware of these violations from a law enforcement point of view. Tim Mason is, you know, a resident of northeast Iowa, former seasonal employee of Effigy Mounds National Monument, and deeply loves that monument. He has seen that monument through a continuum of time, and how that place has been managed.

And Effigy Mounds National Monument is magical. It's sacred. And one of the things about the monument that makes it special and makes it unusual is that it's, everybody who visits there, if you have any interest at all in these, in these mounds, you must discover them on your own. To get to these mounds, it's a rustic trail that you hike along, through the woods, and suddenly you find yourself coming upon these mounds, and they're a little hard to kind of wrap your head around. You've got to be with them for a while. It has a, an ability to kind of grab your soul a little bit.

As Tim Mason is seeing this new kind of management paradigm that is being projected upon this rustic national monument by this new Superintendent Ewing, he's becoming more and more disappointed with the amount of construction they're doing there. Everything's getting widened, and there's boardwalks going up and damaging forever this place that he loves so much. And he becomes so frustrated with the decisions that the National Park Service has made that he feels there is no other option but to write the Office of Inspector General, and in his mind, it's a waste, fraud and abuse phenomena, and the Office of Inspector General gets his letter, recognizes that they have no expertise whatsoever in this type of phenomena, and that's when they kick it off to the Investigative Services Branch of the National Park Service.

BOB PALMER, LAW ENFORCEMENT RANGER, EFFIGY MOUNDS NATIONAL MONUMENT, 2000-2013: I have said before that the in the bigger scope of things, and I have told Tim Mason this, I said, "Someday the Department of Interior hopefully will give you an award." I said, "Because you saved this park." So Phyllis, she was called to Region, and in typical regional fashion, called her up for some other reason, said, you need to come to Omaha for-, we're going to talk about whatever. Didn't tell her why.

And so she goes there, and they, and boom, we got an email that she's now going to be working in the regional office, and that Friday Wiles is to be Acting Superintendent until further notice. I've never seen her on site after that.

JIM NEPSTAD, SUPERINTENDENT, EFFIGY MOUNDS NATIONAL

MONUMENT, 2012-PRESENT: My name is Jim Nepstad. I'm the Superintendent of Effigy Mounds National Monument. I was working at Apostle Islands National Lakeshore up in northern Wisconsin up on the shores of Lake Superior, and I had seen news accounts of boardwalks and maintenance structures being built without proper Section 106 and NEPA Compliance. And as time went on, I had heard that the superintendent had been reassigned, and knew that there was going to be a vacancy, and started chatting with other people about it, thought, well, that might be kind of an interesting job to throw my hat in the ring for.

And, you know, eventually the vacancy announcement was on the streets, and eventually decided to put an application in. You know, it wasn't hard to discern in the news accounts that relationships had been damaged by what had happened here. People felt betrayed. People in the State Historic Preservation Office, obviously, and Tribal Historic Preservation Officers as well. So what had happened here at Effigy Mounds had let a lot of people down.

As far as the staff was concerned, the morale obviously was at a low point. There were damaged relationships that were crying out, you know, for repair. I'm actually a trained mediator with the Department of the Interior, and so I've always been kind of attracted to the opportunities of making things better, making things whole again. And so that was part of the appeal of Effigy Mounds. I knew it was, you know, this small, little broken park, and I just wanted to fix it.

DAVID BARLAND-LILES: Rick Obernaster, he was in charge at the time of the Investigative Services Branch, and he calls me, and he goes, "Dave, there's a park in northeast Iowa. Apparently they've, the management there has moved forward with a lot of projects without properly doing Compliance." I was like, "Oh, OK." Effigy Mounds, Compliance, no Compliance, and I looked to my partner, Robert, and I go, "Hey, don't you think that if a superintendent approves a project that damages cultural resources, and that project did not have proper Compliance required by the National Historic Preservation Act, don't you think that's a violation of the Archeological Resources Protection Act?"

He goes, "I've thought about that. I know it's a violation of the Archeological Resources Protection Act." So very quickly, with his help, we had linked two laws, unbeknownst to us, that had never been linked before, and it was that specific scenario that helped us do that, so I immediately knew that I am actually investigating a violation of the Archeological Resources Protection Act.

CAVEN CLARK, CULTURAL RESOURCE MANAGEMENT SPECIALIST, BUFFALO NATIONAL RIVER: My name is Caven Clark. I've been with the Park Service since 1987. I started at Isle Royale National Park as an employee of the Midwest Archeological Center. Well, I made it a policy of mine, when I attended Section 106 training here and there, to raise my hand when they said, "Are there any questions?" And my inevitable question was, "At what point does failure to do Section 106 become a violation of ARPA?"

And very literally, the response I got was nervous laughter. It was not a question that people wanted to deal with. I think that the reason people wanted to keep ARPA and Section 106 separate was the desire to keep the Park Service clean, I don't know a better way of putting that, to try to not put park management actions on a par with looters. But unfortunately, the bottom line is the same.

Whether you're a park manager or a looter of archeological sites, the bottom line is still the same. You've done damage, measurable damage, to an archeological resource. And I asked that question many times. It never received any serious attention in that context until the Effigy Mounds case broke. One of the things that has always been of interest to me is to take ARPA places it's never been before.

Taking it into this world of Section 106 was a first. Criminal prosecutions are possible and can elevate a crime from a simple ticket, you know, maybe you'll get a hundred dollar fine or something like that, and we can elevate cases now to a criminal level using ARPA. The team consists of the trinity of the special agent, the archeologist, and the Assistant U.S. Attorney's Office. You've got to have those three components to make it work.

And so I was requested to be the archeologist for the Effigy Mounds case.

DAVID BARLAND-LILES: I began to go to the regional personnel, folks that seemed to be willing to provide me with the information that they have collected.

They had a tremendous amount of documentation about all of the projects that had been done during Phyllis Ewing's tenure, which started in 1999 through 2011. I immediately became aware that wow, you guys certainly recognized that she violated the National Historic Preservation Act, but in no way did you make any connection to any other real violation of law that people can go to prison for.

They also gave her, I came to learn, a year to kind of right the ship. And anybody who works with cultural resources knows that once they're damaged, they're damaged forever. There is no way that you right that ship. You cannot fix it. It was clear to me that every hole that went into the ground over that, over the tenure of Phyllis Ewing, on projects that she approved, damaged cultural resources, because every square inch of Effigy Mounds National Monument is an archeological site.

Now this is-, the regional director made this decision. He offered Phyllis Ewing, after giving her a year to right her ship and make Effigy Mounds whole again, he offered her the opportunity to either retire, which she was eligible for, or she can accept a transfer to the regional office in a to-be-determined position. To his shock, she accepted the transfer.

And he wasn't prepared for that. He was expecting her to fall on her sword. He's the one that made this offer, so suddenly he had to cobble together a position for her at the regional office, and I guess the most convenient place to do that was within the Cultural Resources branch. So she's in a position that kind of looks like a promotion to any objective outsider that were to look into this phenomena. Either way, it's a really cush job that has no responsibility, no authority, and yet she gets paid what a superintendent gets paid.

I also immediately recognize that that weakens my position as a criminal investigator. I have an agency that's made an administrative decision on a person that I think, and I think I can prove beyond a reasonable doubt, violated the law at a felonious level. And yet the agency who I also work for has made an administrative determination as if they don't even understand that she has done felonies.

CAVEN CLARK: Any person, quote, any person, unquote, it didn't say "any person except federal land managers." It didn't say, "any person except an archeologist". It made no exceptions. It said any person who does this is subject to this law, ARPA. It was very, very powerful.

END

**EPISODE 07**

**THEY'RE STILL THERE**

LANCE FOSTER, TRIBAL HISTORIC PRESERVATION OFFICER, IOWA TRIBE OF KANSAS AND NEBRASKA: My name is Lance Foster. I am the THPO, Tribal Historic Preservation Officer for the Iowa Tribe of Kansas and Nebraska. We were just really shocked. We were really shocked at how, how cavalier the whole thing was being treated, at the lack of recognition that it was something wrong. And, I mean, where do you go with that? I mean, she had to have known what the laws were. I think her biggest mistake was not staying in contact with the tribes and asking them about what should be done.

With the boardwalks, you know, there are pilings, or footings, that go into. It's not so much even setting it on, although we're never supposed to walk on top of the mounds, we're never-, we're supposed to respect them as burial places. When you put the pilings in, it's almost like piercing a body with a knife, because our mother, the earth, is trying to give birth, is trying to-, these beings, these spirits are gestating into her, in her for a thousand years, two thousand, whatever, and they're taking care of that land, and so you've just pierced the mother with these, with these pilings.

And you've got people walking on her, and it's just not, it's disturbing what's supposed to be going on there. They're disturbing the sleeping places of these people who never asked to be made part of somebody's zoo. So many people thing that bones are just objects, you know, that they're not people. But in our traditional beliefs, bones have that inherent life in them still. They still speak if you're in a quiet place. Those people that are still sleeping in the Earth, the mounds, those sleepers in the mounds are still there.

You become aware of it. They're still there.

JIM NEPSTAD, SUPERINTENDENT, EFFIGY MOUNDS NATIONAL MONUMENT, 2012 PRESENT: Phyllis was a, an advocate for accessibility issues. < EXEMPTION 6 > Phyllis wanted to make sure that if anybody could get somewhere in the park < EXEMPTION 6 >. Hard to disagree with that necessarily, but when you start threatening resources in the

process, that's where you start crossing the line. She was telling tribal representatives, "We have to build a boardwalk here. If we're going to build a trail here at all, it has to be a boardwalk because of the Americans With Disabilities Act. It says that we have to build boardwalks."

But then, later on, when we're starting to learn that, well, not only was she not consulting with you in advance on these projects, but she was misleading you when you were talking to her, and questioning her about these boardwalks.

DAN HIGGENBOTTOM, ARCHEOLOGIST, STATE HISTORIC PRESERVATION OFFICE: First time that I saw the boardwalks, my reaction was just utter astonishment. I couldn't believe that those things had been built. As far as our office was concerned, there was no consultation. That, in and of itself was a violation of the National Historic Preservation Act.

JIM NEPSTAD: The Yellow River Bridge and Boardwalk is the largest scale project that was undertaken without completing the Section 106 Need for Compliance Processes. Phyllis's predecessor was Kate Miller, and Kate was great with Compliance. Phyllis gets here and that's when Compliance activities start to break down, immediately. Almost, almost from the beginning.

The bridge itself, rather than being a simple pedestrian bridge, which is all anybody ever envisioned, Tom Sinclair gets ahold of it, and all of a sudden you see that this is not going to be a simple boardwalk, it is turned into a five ton vehicle bridge. Phyllis is building an ADA trail, so she's really happy about that, she's not paying attention to all these specifications and so on and so forth, so Phyllis is building an ADA trail, in her mind, Tom's building a road.

DAN HIGGENBOTTOM: One of my comments to Phyllis was, "Look, you know, < EXEMPTION 6 > is in a wheelchair. There is no way that I could push < EXEMPTION 6 > up some of those ramps, so your claim that these are ADA accessible is false. They are not. They < EXEMPTION 6 > are long and they've got a steep grade."

JIM NEPSTAD: Having some kind of a facility up in the North Unit to facilitate mowing operations of the mounds up here was actually a good idea. The trouble is, Tom didn't consult with anybody, certainly didn't consult with the SHPO and tribal partners, but he didn't consult even with other park staff, and unfortunately, it was located way too close to the hiking trails. This time of year, when leaves are down, it's just plainly visible.

ALBERT LEBEAU, CULTURAL RESOURCE PROGRAM MANAGER, EFFIGY MOUNDS NATIONAL MONUMENT: If you can imagine that here, and then this being all gravel. There's a parking lot type area. Well, visually, it impacts. When we came back and did the geophysical prospection, there's actually a mound right over in there, so they disturbed a mound.

JIM NEPSTAD: If you don't talk to people, if you act instinctively on your own ideas, mistakes get made. This is the scene of the boardwalk that was under construction when the Operations Evaluation Team came here. There is an archaeological site right underneath the boardwalk in this particular location. They would auger four feet deep holes roughly a foot in diameter down into the ground, pour concrete and rebar. Just for a short little spur trail, they had to punch 216, you know, fairly sizable holes into the ground in an area rich with archaeological sites, with no archaeological monitoring taking place.

And so rather than doing the sensible thing, they took this convoluted, very lengthy, extraordinarily expensive route simple to achieve their own agenda, which again, in Phyllis's case, would have been an accessible trail, in Tom's case, would have been a vehicle accessible trail.

TIM MASON, FRIENDS OF EFFIGY MOUNDS NATIONAL MONUMENT: That's part of this whole build, alpha male, construction mentality that the National Park Service has to be careful on. Something like this, this is just insane. You could drive a military tank across this structure. You're trying to preserve, protect and interpret the natural resources that the prehistoric individuals lived in, and this damages the landscape.

JIM NEPSTAD: 2001, they decided, well, this area is previously disturbed, we can build a boardwalk here. We don't have to do any Compliance work, and constructed this boardwalk. Tom used that term a lot. "This area has been previously disturbed." And to him, that meant he could do anything. Our tribal partners routinely remind us that not everybody is buried in a mound. Very often, people were buried in proximity to mounds, and they warn us against any ground disturbance anywhere within 150 feet. So just because an area has been previously disturbed doesn't mean that it's free of cultural resources including burials. I cringe every time I hear the term "previously disturbed". I think it's a concept that should be utterly abandoned in the National Park Service.

END

**EPISODE 08**

**BREAKING THE LAW IS BREAKING THE LAW**

JIM NEPSTAD, SUPERINTENDENT, EFFIGY MOUNDS NATIONAL MONUMENT, 2010-PRESENT: Tom Sinclair was still in the park when I got here, and he probably more than anyone in the park, was certainly anxious for the future, you know, a good friend of his and his boss had been reassigned, so he, you know, was learning that there could be severe consequences for doing what had been done here at Effigy Mounds National Monument.

There was still a law enforcement investigation taking place. David Barland-Liles, Special Agent with the Investigative Services Branch, was still actively investigating what Tom and Phyllis had done. And so, you know, with an active law enforcement investigation still taking place, obviously he still has professional concerns, and so he's, I would say, genuinely scared.

You know, I tried to ease his fears. I didn't know a whole lot about what had gone on. I didn't know any of the details. Again, many of those were still being uncovered in the legal investigation, but based on what I was seeing, Phyllis was ultimately the person responsible for Section 106 activities here, I mean, yes, Tom had been the Section 106 Coordinator for the park, but ultimately, in a legal sense, it all comes down to Phyllis.

And Phyllis had failed Tom, in my opinion. Even if Tom had been doing it incorrectly, even if Tom was skipping steps or skipping it entirely, ultimately, it was Phyllis's responsibility to make sure that it was being done. And a good superintendent would have caught that, would have corrected what Tom Sinclair was doing as the Section 106 Coordinator. And so I strongly felt that they got the right person. They moved her out of that position.

She had utterly failed in her responsibilities.

DAVID BARLAND-LILES, SPECIAL AGENT, INVESTIGATIVE SERVICES BRANCH: I immediately began to formulate an investigative plan in my own mind. Who am I going to interview first? What's the circumstances of that particular national park? Who's involved? All those kinds of things.

JIM NEPSTAD: Phyllis is a complex individual. By all accounts, she can present herself very, very well. She can present herself as a very sweet, kind, caring person. And I'm sure in a lot of ways, she is. But she could, she, Phyllis, from what I understand, had a darker side as well. She did not like to be questioned. And so she, I think, felt threatened by people with professional expertise, because they were in a better position to question her decisions.

DAVID BARLAND-LILES: Bob Palmer was the Senior Law Enforcement Ranger for Effigy Mounds National Monument. And I had began to learn that his furlough was being maximized during Phyllis Ewing's tenure to the entire six months, which is almost unheard of. I'd never seen that before. And I also began to learn from regional employees about what an expert Bob Palmer was when it came to Cultural Resources. He had a master's degree as an archeologist. He was the nation's Civil NAGPRA, Native American Graves Protection and Repatriation Act, Investigator.

There's only one in the country.

He was that person for quite some time. But I couldn't understand why he, of all people, would be subject to this furlough.

JIM NEPSTAD: She was basically trying to remove employees by economic means, and if she couldn't do it by those means, it would be by just being a genuinely unpleasant person. But she had two very close allies in Tom Sinclair and Sharon Greener. Virtually all decisions were made by these three individuals, you know, the superintendent, the facility manager, and an administrative assistant.

People used to joke about Sharon being the deputy superintendent of Effigy Mounds National Monument. Again, she's in an administrative assistant position, and has an enormous amount of influence, you know, wildly out of proportion with her professional expertise and her pay grade. But if you were part of the troika, you know, if you were part of the in crowd, you got to enjoy all the benefits of it.

DAVID BARLAND-LILES: All of a sudden, I'm realizing that there is rudimentary understanding of the National Historic Preservation Act by the staff of this park, and I'm beginning to understand the culture that is enabling this staff to violate these laws.

REED ROBINSON, TRIBAL RELATIONSHIPS AND INDIAN AFFAIRS PROGRAM MANAGER, MIDWEST REGIONAL OFFICE: I'm Reed

Robinson. I'm the Tribal Relations/Indian Affairs Program Manager for the Midwest Region. Regardless of what your theology is or lack of theology is, you can understand what it means for respect for the dead. And then regardless of your understanding of policy or best management practice, you can understand that breaking the law is breaking the law. And so when something like this happens, it damages the entire agency.

It's easy to punish lower level employees for smaller infractions, but when it comes to the, when it comes to management, there's a tendency to not apply the same level of accountability. So how the agency responds, this agency responds, or any agency, is a reflection of what kind of agency you are.

DAVID BARLAND-LILES: We meet with Phyllis Ewing and her lawyer in Des Moines, Iowa, and I am with the Assistant U.S. Attorney Ford Fairchild. Phyllis Ewing understood the gravity of this situation now. She's had to hire a lawyer. She's sitting in a room with a special agent. She's sitting in a room with an assistant U.S. attorney, a prosecutor, who are conveying that they're quite confident in their understanding of the law, and the understanding that she's violated it, but the return understanding wasn't there.

What she projected was a sense of being mystified by this entire process. And so that speaks to intent, to a degree, which is important for prosecution. And that played some role in the ultimate decision of the United States Attorneys Office, who recognize that they're faced with a very unusual circumstance.

They have a law that's never been applied in this way before. They have an agency that suddenly appears to be schizophrenic to them. They have a special agent from that agency who provided a whole bunch of evidence that says yes, she violated this law feloniously, and is recommending that we prosecute this person and put her in prison, yet the management of this agency, while they recognize she violated the National Historic Preservation Act, had given her a year to try to make things right at Effigy Mounds National Monument, and when that failed, they offered her, of all things, a transfer to the regional office to work, in all places, the Cultural Resources Department.

So the U.S. Attorney's Office find themselves asking what is our percentage of success if we do move forward with prosecution, if we do accept this case? And in the end, the percentage of success was too low. Although to this day, when they talk about Phyllis Ewing to me, they refer to her as "that criminal, Phyllis Ewing", at the time, and rightfully so, they declined to prosecute this case.

JIM NEPSTAD: They ultimately decided that it would be difficult to prosecute either Phyllis or Tom based on what they had done here, not because they hadn't engaged in illegal activity, but because the agency itself had taken so long to recognize that crimes were being committed here. If the agency itself couldn't recognize that, then how could the employees themselves necessarily recognize that they were engaged in criminal activity?

So they turned down prosecution, they declined to prosecute, and that shifted the ball back into the court for the National Park Service.

DAVID BARLAND-LILES: Their declination enables the National Park Service to finally do what they should have done a long time ago, and that is a proper administrative investigation, an internal investigation. It was conducted by the law enforcement specialists for the regional office, and that concluded that indeed she did violate these laws, and led to her removal. She was removed from her position, fired, and then Tom Sinclair was also a potential defendant.

JIM NEPSTAD: Well, that's when things start to get pretty heavy around here. The message is delivered by, you know, the regional director himself, over the phone, in my office, with me present. And you know, it's a hard thing to watch. You know, by this time, I've been there for, you know, over two years, going on three, and I'm trying not to judge him too harshly for times when I wasn't here.

And I know Tom had failings. I know enough about what happened back in those days. He got caught up, he developed a bit of a chip on his shoulder, I think, and he got away with things for so long that he just started to get used to doing things that way, and he really didn't care if it bothered other park staff, but at the same time, my personal experience with him, he's remorseful, he seems to genuinely regret what he had done, he's active in the community, he's active in his church and in the community itself.

He seems like a genuinely nice guy that unfortunately did some not so nice things, and, but yeah, these things don't necessarily end pretty. I'm sitting in a room with him, and he's scared. This is catching him completely by surprise, you know, and sitting in a room and, you know, watching somebody's career literally disintegrate in front of your eyes, you know, walked him back over to his office, you know, and helped him check out and, you know, waved goodbye as he drove off, and that's the last I ever saw Tom. I haven't seen him since then.

END

**EPISODE 09**

**MISSING PEOPLE**

JIM NEPSTAD, SUPERINTENDENT, EFFIGY MOUNDS NATIONAL MONUMENT, 2012 - PRESENT: Sharon Greener was the administrative assistant for the park who had a collateral duty assigned to her, which was care for the museum collection. She had no formal training in it whatsoever, no Cultural Resource expertise in it whatsoever, < EXEMPTION 6 >, and for a responsibility that includes activities that require a great deal of attention to detail, it's actually kind of alarming that she had the responsibility ever assigned to her.

She eventually was hired into a permanent position. The administrative officer had argued strenuously with Tom Munson to not hire Sharon into this position. But Tom hired her anyway.

She becomes a permanent employee, in an administrative assistant type position in 1993, and is still in that position by the time I arrive. And I am oblivious to the fact that she is as < EXEMPTION 6 >.

BOB PALMER, LAW ENFORCEMENT RANGER, EFFIGY MOUNDS NATIONAL MONUMENT, 2000 - 2013: Ken Block would fire off an email to Region about something and would be upset about something. Then he'd go to staff meeting a week later and somehow this would get brought up. And he was claiming at the time, he's like, somebody's reading my emails. Somebody's got my code. Somebody's getting into my email. Well, the analysis of her computer found that she had the keys to everybody's passwords. She was reading people's government emails < EXEMPTION 6 >.

DAVID BARLAND LYLES: She's an integral component in the twenty- two years of crime that happened at Effigy Mounds. Jim Nepstad, he gets a quite innocent call from a tribal representative, Patt Murphy from the Iowa Tribe of Kansas and Nebraska. The innocent call is I just want to see your Native American Graves Protection and Repatriation Act repatriation records.

PATT MURPHY, NAGPRA REPRESENTATIVE, IOWA TRIBE OF KANSAS AND NEBRASKA, 1999 - 2015: The old ones, our ancestors, they were talking to me. And there just out of the blue, it dawned on me that things just weren't right up there. So I called up there that I would like to see the original inventory.

DAVID BARLAND LYLES: There was a law passed in 1990 called the Native American Graves Protection and Repatriation Act that requires all federal agencies and all entities, museums, that have, that accept federal money to repatriate or return all the American Indian remains, funerary objects, items of cultural patrimony that are in their collections, to the tribes that are affiliated with those items and those people.

Effigy Mounds is, of course, going to have quite a bit of human remains, funerary objects, items of cultural patrimony, because it is a Native American burial site.

JIM NEPSTAD: I relay the information that Patt had given me. Sharon Greener disappears for a while. She would research if I ever had a question about the collections or the archives were stored down in the collection space, which I didn't have access to. So it wasn't unusual for her to kind of disappear for a while and then come back with an answer. In this particular case, she came back with a report and said, "I think you need to be aware of this. This is relevant to what Patt is asking about."

And then she left, went back to her office. Didn't tell me what to look for, didn't tell me what to expect. So I cracked it open, started paging through it. It's a document authored by Dale Henning, a man who's done a lot of archeological work and research in this particular area. He organized the report in such a way that it was painfully obvious what Sharon was referring to, because just paging slowly through it, I'm seeing numerous instances, I mean, probably dozens of times in this document, he says, "Human remains for this particular accession were studied by so-and-so on such-and-such a date, and then mysteriously disappeared after 1990."

It's referencing all of these missing human remains. And I look at the date of the report. It's 1998. And so my head's just spinning. And I went, stuck my head in Sharon's office and said, "What's with all these missing human remains? And has anybody ever told the tribes?" You know, Effigy Mounds National Monument was set aside in 1949.

And it was considered significant because of the mounds themselves. And the mounds were known, had long been known in many cases anyway, burial mounds. The very first staff member that comes on board after the superintendent is an archeologist. And I'm sure they were thinking of maybe having some spectacular finds on display in whatever new visitor center would one day be built. So one of the very first activities that is ordered up is some authorized excavations of some of the mounds.

And so the regional archaeologist, Paul Beaubien, starts the process of excavating some of the mounds. And Mr. Beaubien immediately starts encountering human remains. You have to remember, we're all the way back to 1950 now. And the field of archeology has evolved immensely since 1950. The practices, the standards, the underlying values have all evolved tremendously over the years.

But in 1950, it was not unusual for an archeologist to rummage through a mound, taking detailed notes. By 1971, an archeologist with the Midwest Archeological Center, he worked on one or two mounds in that manner. He also encountered some human remains. He was badly bothered by that time by what the park's methods were.

And he said, "This has got to stop. We're doing more damage than good." And good for him for saying that. And after his final excavation that he finally got so upset and said we've got to stop doing this, the park finally did stop doing this. And so the last of the excavations into mounds in the park took place in 1971. And that's how all of these remains got to be in our museum collection.

Soon after Tom first got here, there was a growing concern about human remains being on display in visitor centers across the country. And the agency is starting to grapple with that. And I believe it was in 1971 when the park is told, "You need to get human remains off of display." And there was a display in the visitor center that featured a bundle burial. Splashed across the panel it says, "Where did the Effigy Mounds Indians go?"

And there's a human skull on display in the upper right corner of the display. It was just, you know, it was just a product of its day. And I think people didn't, just didn't realize somehow. I mean, we look at it and it's hard to believe that they couldn't recognize the insensitivity. But, you know, society evolves and standards evolve and values evolve.

And a lot of that evolution was actually taking place during some of the park's formative years. Again, there's a noticeable evolution in the park's handling of human remains between the 1950s, between the 1960s, and finally in the 1970s. And by the 1980s, people like Maria Pearson here in Iowa, a fierce advocate for repatriation of American Indian remains and funerary objects and so on, Maria Pearson is advocating for legislation.

And actually, Iowa becomes the first state in the country to have a burial law that protects American Indian burials, thanks to Maria Pearson. She's the, if anybody can be credited with NAGPRA, it's Maria Pearson. But in 1986, Maria Pearson herself is writing letters to Tom Munson here at Effigy Mounds, saying, "I understand you have human remains in your collection. You need to repatriate those."

And I think it scared him to death that Maria Pearson herself was rattling the cage here at Effigy Mounds. As NAGPRA was discussed in concept before it became actual legislation, there was years of debate. And there was years of angst amongst professional curators and archeologists and so on and so forth about what this is going to mean to their particular field of study.

And so all kinds of articles are appearing in the press about the bone wars, and what this might mean for museums, and they're going to come and they're going to get all your stuff. And so Tom's hoarding all of these articles on this, and you can tell he's frightened. He's scared. He's thinking-, I've even seen letters that he wrote to the Midwest Archeological Center asking if the Indians could repatriate the park itself.

He's terrified they're going to take his park. But the whole country was kind of going crazy on this front throughout the 1990s. And so the disappearance kind of takes place in that kind of an atmosphere.

RECORDED HISTORY WITH TOM AND LINDA MUNSON, NOVEMBER 4, 2008

TOM MUNSON: Just tell you, say well, this is what we're going to do, and he said, no, we're not. They're gonna say, oh yeah. And pretty soon you figured out where the lines of power were. That was a guy from the San Francisco Center, an archeologist came down and told me that you couldn't have human remains on display. I said, what do you want me to do about it? He says, You can't have it on display, you better make attempts to get rid of it. I did it alright, I took it right out and left a big sign there. It said "this used to be a bundle burial" but you know, put a piece of plywood over it. It's documented in the file. Well I'm not going to put this on any kind of a record.

LINDA MUNSON: Well, then, don't say it. You're on record now, so don't say it.

JIM NEPSTAD: I had come to Effigy Mounds pledging openness and transparency in everything. It was an approach that I felt would best get us through the betrayal that everybody was feeling. So I'm absolutely riding into town saying okay, everything's going to be open and transparent. I'm not going to hide anything. I'm not going to try to sugar coat anything. If I see something bad, I'm going to tell you. And then this piece of news lands on my lap.

I've been in the park for three months. And all of a sudden, I'm grappling with this concept of having to notify our tribal partners that we've lost the remains of forty-one people, forty-one of their ancestors. And how are you going to do that? They don't know me yet. They haven't even met me yet. Many of them I haven't spoken to yet. And I've got to tell them that not only have we lost your ancestors, sorry about that, but we've known about it for twenty years. All during the Phyllis Ewing era, during three separate repatriations, there were chances for this topic to come up. Never did.

JEFF RICHNER, PROJECT ARCHEOLOGIST, MIDWEST

ARCHEOLOGICAL CENTER, 1990 - 2015: Jim Nepstad, in whatever year that was, 2010 or 2011, he called me on the phone immediately and said, Jeff, I've found something that makes the 106 stuff seem like not even a problem. And I said, oh. You've turned up the missing human remains issue. And he was dead silent on the phone. He goes, of course you know all about this. And I said, yeah, and so did your predecessor.

And she chose to do nothing. And Jim not only did the right thing, but he did something that was courageous. He just said, okay, I don't care what anybody says. I'm taking this to the highest authorities and I'm taking it to the regional director. And if they don't want to take action, I don't care. I'm taking it to the rangers and to the cops. And he did.

DAVID BARLAND LYLES: Superintendent Nepstad, Chief Ranger Bob Palmer, began to realize that a crime had actually occurred. And their next call was to me. It changed my life. And I knew crime was afoot. To this day, crime is happening. And began in earnest to investigate this crime, starting with Sharon Greener.

END

**EPISODE 10**

**ABANDONED**

JEFF RICHNER, PROJECT ARCHEOLOGIST, MIDWEST ARCHEOLOGICAL CENTER, 1990 - 2015: One of my recurring duties at the center, beginning in the late '70s, was to review planning documents. In '95, I reviewed a park planning document that indicated that the only human remains in the park's collection was a bundle burial that was housed over here at MWAC. I was immediately suspicious that something wasn't right.

DAVID BARLAND LYLES, SPECIAL AGENT, INVESTIGATIVE

SERVICES BRANCH: Tom Munson retires in 1994. That period from 1990 to 1994 is the period when the Native American Graves Protection and Repatriation Act is enacted. And Effigy Mounds is not doing anything during that period. So after Tom retires in 1994, Jeff Richner's kind of overseeing some parks and guiding them, providing them assistance on meeting the provisions of NAGPRA.

And he reaches out to Effigy Mounds and is like, where's your inventory? It's a new superintendent. Her name is Karen Gustin. And she is working with Sharon Greener to try to figure out, well, where are the human remains in the collection? And Sharon Greener keeps on saying, there are no human

JEFF RICHNER: It just didn't many any sense whatsoever. Where did these things go? And so I wrote a brief review of the document and said, well, things don't add up here.

DAVID BARLAND LYLES: So Karen Gustin is like, well, we don't have any human remains to list in the inventory. And Jeff Richner's like, well, of course you do! You're Effigy Mounds National Monument! I'm acutely aware of the archeological digs that happened in your park. I've studied them. I know what they took out of the ground. I know they've been in the collection before. They've got to be there. No, they're not here.

JEFF RICHNER: That started the investigation into are there remains missing? Are there human remains missing from Effigy Mounds? So I was suspicious, but I had no idea what. Turned out my suspicions were, what actually happened was well worse than what I would have dreamed.

DAVID BARLAND LYLES: Karen Gustin finds herself unable to kind of solve this mystery, and she leaves, I believe in 1996.

JEFF RICHNER: And then the next superintendent came in following Karen Gustin, and that was Kathleen Miller. And she was very concerned about the missing or unaccounted for remains. Kate really thought that she needed to get some professionals looking at this, and she instigated two contracts with an archeologist named Dale Henning.

DAVID BARLAND LYLES: Dr. Dale Henning comes to the park to review their collections and kind of get an understanding of the collection itself and hopefully solve this mystery of these missing human remains. The person that assists Dr. Dale Henning is Sharon Greener. And his conclusions are, these things were deaccessioned in 1990. Nobody knows where they are. Over and over and over again.

JEFF RICHNER: I know Kate was interviewing her staff and trying to figure out, and probably counting on them to pull stuff out of the files. See, there's another problem. Because one of the perpetrators was a member of their staff.

DAVID BARLAND LYLES: Kate Miller left the National Park Service and went to work for the state of Minnesota.

JEFF RICHNER: She knew something was wrong. And just about the time Henning's reports are being filed, she's gone. I'm quite certain, had Kate Miller stayed at Effigy Mounds longer, that she would have kept looking into this. Instead, you get a switch in superintendents and things go cold.

DAVID BARLAND LYLES: She is replaced by Superintendent Phyllis Ewing. And for the next ten years, nothing is done on the loss, theft, of these people.

JIM NEPSTAD: By this time, obviously there's been enough interaction with the tribes to know that trust has been hugely violated here. I mean, it was violated before, just with the Section 106 stuff. But now we've just kind of taken it to a whole new level of violation of trust. And I wanted to be sure that they were confident that we were actually going to be investigating this aggressively. And so I thought, okay, well, if I want to play things carefully here, if I truly do want to leave no stone unturned, I want to do a 100% inventory of our museum collection.

I want to make absolutely certain that they're not squirreled away somewhere in that museum collection. Well, you just don't turn around and do a 100% inventory the next day. It needs to be carried out by professionals. So I worked with the regional office. They pulled in curatorial staff from other parks, and they literally went through every single item in our collection, looked at every last square inch of its storage space and so on, and no. They're not here.

Sharon Greener is in the thick of that. She's the person that's showing everybody around. Oh, you know, Cabinet 14, that's over there. And so she's participating in it herself. She's knows she's not going to find anything. I had asked her on a number of occasions, how were these deaccessioned? Explain to me how that happened? And she would just produce this list of all the catalog numbers. And she said, well, we probably didn't do it right.

While this whole inventory is taking place, I'm up in my office in the admin building, going through all of our files, desperately trying to find more information on what happened here. And I remember looking through one of the file cabinets in some obscure folder and finding a document, and it was a Report of Survey. And it had Sharon's initials on it.

And it had a date on it and then her initials as a Report of Survey. And it's got attached to it that list of all the catalog numbers that she showed me. So I thought this is it! And it's dated July 16th, 1990. Congress began to debate NAGPRA, the Native American Graves Protection and Repatriation Act, days before that. Just a few days. And there's the date.

Now I finally know when they disappeared. This is how they did it. And there's a lot of little details on a Report of Survey form. In the midst of all of that, there's the Report of Disposition. How were these items that you are accessing off, how are they going to be disposed of? And there's two X's through the box for 'Abandoned'. And I thought, holy God. They proposed to abandon these people. Literally. I mean, literally. It's right there on the form.

JEFF RICHNER: On the part of the form, they used a form that's for surplus property, because there's no such thing as a deaccession form so they used surplus property. And you can check a series of boxes. So like if a backhoe breaks down in your field and it burns up or it's ruined and it has no value and you can't sell it, you're allowed to check the box for abandon. And these catalog numbers, the box was checked 'Abandon'.

DAVID BARLAND LYLES: Handwritten on the top was the word "keep," and then the date of November 1997. And then it said S.G. under that little handwritten circle thing. And I'm like, huh. I know who S.G. is. It's Sharon Greener. Who else could it be? So I interviewed her in the basement of the Visitor Center, where it turns out later I came to discover the crime actually occurred.

I asked her about her initials up on top. I said, S and G. That's got to be you, right? Why did you write that? She's like, huh. I can't really remember. I'm like, well, what's the significance of this day? And she's like, I don't know.

JIM NEPSTAD: It's an odd date, because it's actually reported when you look at the front page of Dale Henning's report on these remains going missing, that date is actually shown right on that front page as being one of the two days that he was in the park doing his field research. And Dale, I mean when you look at his report, he has every little scrap of paper from the superintendent, taking notes on conversations with Tom Munson or conversations with Sharon and so on and so forth.

He's got everything in there, including the list of catalog numbers. But he doesn't have the Report of Survey. And I just think it's fascinating that that Report of Survey didn't make it into his report. I think the only way you can explain it is he didn't see it. And if he didn't see it, why is Sharon Greener initialing it on that very day, on the very day that he's in the park? To me, she's hiding it from him. She doesn't want him to see that. Because I'm sure Dale would've asked too, huh, wonder what "abandon" means?

DAVID BARLAND LYLES: I now know that Sharon did indeed create the Report of Survey documentation. I know that her initials are on top of it with a date corresponding to the arrival of Dr. Dale Henning. I know that with her being the creator of this document, she must have been ordered to do it by Tom Munson. Her responses throughout it are pretty muted. She clearly begins to kind of break down.

I don't mean cry or anything like that, but she is breathing a lot heavier. And she's having longer pauses. She's thinking harder. And through that process, I think that she's realizing that she is in a corner. And she has only a couple of options, and that is not say anything and boot me out, continue to lie, or just tell the truth.

She phrases it in such a way of, you know, I have a vague recollection of putting the human remains that were in the collection in two boxes and at the order of Thomas Munson. And then took me a couple of days to put those boxes together, because I wanted to do it, be very thorough. And he came down to the Collections Room and I told him it was ready. And he carried one box up the stairs, I carried the other box up the stairs.

We walked right through the Visitor Center, exited out the door, walked to the parking lot, and there was his Ford Taurus. He opened up the trunk. He put a box in the trunk and I put a box in the trunk. And he got in his Ford Taurus and he drove away with them. How long does it take you to put together this Report of Survey? She goes yeah, it took a couple of days, you know. But yeah, got that survey done, gave that to Tom, really don't know what he did with it.

Okay. Why'd you do it? Well, he ordered me to. Why didn't you tell anybody? Well, nobody specifically ever asked. I did! Couple months ago. Well, not specifically. You mean about things I don't know? You want me to ask questions about details only you know? Well, yeah. Why didn't you tell Karen Gustin? Well, you know, I figured she should figure it out on her own.

Why not Kate Miller? I didn't want to rat out my friend. What about Bob? What about Jim? I figured you guys should figure it out on your own. The next day, I went to Tom Munson's house, which is in the town of Prairie Du Chien, Wisconsin, across the Mississippi River from Effigy Mounds.

END

**EPISODE 11**

**CENTER OF EVERYTHING**

DAVID BARLAND-LILES, SPECIAL AGENT, INVESTIGATIVE SERVICES BRANCH: Normally, I were to attempt to find human remains in a home, I would get a search warrant. And it was in the middle of sequestration. And for the life of me, I couldn't find a single Park Service law enforcement officer anywhere. And you know, everybody's strapped for cash. With these constraints and the realization that I'm out of time, I have to do this right now, I went to Tom Munson's house alone.

I started to go through the things I now know with Tom, while Linda's sitting there with him, next to him. And he was, he could care less. So I was like, all right. I'm getting nowhere with this guy. I'm going to now turn to Linda. About ten minutes into me describing to Linda everything I know, she turns to her husband of fifty years, by the way, and says, "I don't think you've been telling this young man the truth."

And she goes, "Mm. Do you want to look in our garage?" The garage was fine. The garage is great. I also want to get into the basement and the attic and everywhere else. Linda is the one who suggested that we go into there first. So I think really, she must know something's up. She said to her husband, "I don't think you're telling this young man the truth." And I had the Consent to Search form already filled out in my little file.

And I just pulled it out and slid it in front of her and said, "Yes I do." And she said, "Okay." She signs the Consent to Search. And immediately, we get up. She walks out the back door of the house, across a little lawn to a detached garage. She opens up the garage door on the side of garage, and then pushes the button and the garage door opens. Lights in there. Tom Munson is somewhere behind me, lingering on the lawn.

And I'm really just following her. So the light opens up in this garage, and there's a minivan off to the left. She's looking around and she turns and looks to the front of the minivan. And she goes, "Wow, I wonder what's in that box?" And two and a half feet in front of the minivan is a box, a cardboard box. It's the oldest thing in the garage. And there's a black trash bag in there. She just opens it up a little bit, and I look over her shoulder. And I go, yep. Human remains.

And I could see the femur, you know, hip bone, with what appears to be curatorial numbers on it. And I picked them up. I take them to my car and I put them on the front passenger seat. And I walk back in with them, their front door, and we sit back down at that dining room table. And we have the "what were you thinking?" conversation.

Tom explains to me that he did this because he personally believes that NAGPRA was a bad law. So recognizing that this law was about to pass, he took it upon himself to remove the human remains from the collection in order for the National Park Service to be able to hold onto the beautiful and valuable funerary objects that were excavated with them.

JIM NEPSTAD, SUPERINTENDENT, EFFIGY MOUNDS NATIONAL MONUMENT, 2012 - PRESENT: Now remember, with many of the excavations in the park's early years, not only were human remains being encountered, but grave goods or funerary objects were as well. And some of those funerary objects were fairly spectacular. There's some very, very detailed and sizable chip stone tools in our museum collection, for instance.

And they were on display up in the Visitor Center. And they came out of mounds here at Effigy Mounds National Monument. And if those stone tools are associated with human remains from an excavation, again, they are funerary objects. And not only can the human remains be requested for repatriation, but the funerary objects can as well. And so in Tom's mind, the fact that there were human remains associated with funerary objects threatened the funerary objects.

So Tom saw the human remains as a threat. And if the threat is removed, the funerary objects are better protected. They're less susceptible to being requested for repatriation. And so his motive was to protect the inanimate stuff that came out of the mounds with the people that came out of the mounds. He literally viewed the stuff as more important than the people, and was willing to place the people in garbage bags and cardboard boxes and hide them in his garage for twenty years so that he could better protect the stuff.

I was just at home in my kitchen, and I got a text message from DBL indicating that he had found the remains and was transporting them. And he needed somebody to let him into the Visitor Center so that we could secure them for the evening. I raced to the Visitor Center that evening myself. And I met David Barland-Liles in the parking lot. And we had to wait a while for Sharon Greener to show up to let us into the collections.

DAVID BARLAND-LILES: Oddly enough, the person that he has to work with to prepare the monument for the return of these people is Sharon Greener, his curator.

JIM NEPSTAD: Sharon didn't say much when she showed up at the

Visitor Center that evening. If I remember correctly, she said something along the lines of, "I always wondered where those went."

When this came to light, when I suddenly learned that she knew all along that the last place that these remains had been seen was in the trunk of Tom Munson's vehicle, it shattered my faith in her. It caused me to question everything that she had ever told me. I had repeatedly asked her to provide me with information on where these human remains may have been, where they were last seen, how they were so called deaccessioned and so on.

And she had always been less than helpful. But now, all of a sudden I'm learning she knew all of that stuff. She knew, and yet she sat there and watched me struggle for months. She had participated in the 100% inventory back in July of 2011. She knew at that time that the remains had last been seen in Tom Munson's car, and Tom Munson had driven off with them.

Why in the world would she go along with the 100% inventory? And again, this cost thousands of dollars to pull off. We had to bring in people from all across the country. She knew. She participated in that inventory, and she knew that the remains weren't going to be there because she had placed them in the trunk of Tom Munson's car.

BOB PALMER: These remains were taken out of the collections in July of 1990 and came back in 2011. And Sharon Greener didn't tell anyone that she had been involved. It was, "I always wondered where they had went." Well, you knew where they had went. They went in the trunk of his car, and you never told anyone. In fact, in the Henning report from 1997, in the introduction, Dale Henning cites, "Thank you, Sharon Greener, for your invaluable assistance in this." And then when she was interviewed in the criminal investigation, she said, "Well, I didn't keep this from Dale. He just never asked me if I knew where these were." I mean, what kind of answer is that?

JIM NEPSTAD: It just shattered my faith in her as an individual. Shattered my faith in her as a human being. I mean, why would you withhold that kind of information? We immediately come to the conclusion that we can't have Sharon being associated with this collection anymore. Her involvement in this issue is way too deep.

She's been obviously lying to us, lying to me as a supervisor, lying to David Barland-Liles as a law enforcement officer. We've got to get her out of that collection space. And so, over the course of the next few days, we scrambled. And it wasn't many days later that Sharon Greener worked her last day at Effigy Mounds National Monument.

DAVID BARLAND-LILES: Because of the criminal investigation and the secrecy that goes along with it, when Sharon Greener made statements to the press that she was the whistle-blower in this matter, myself, the National Park Service, and the U.S. Attorney's Office couldn't state otherwise, because we needed to convict Tom Munson.

So Sharon Greener has had the opportunity to tell the world that she's a whistle blower, but in no way, at any time was she ever a whistle-blower. She was a co-conspirator.

BOB PALMER: It's interesting, because I have a certain amount of sympathy for Phyllis Ewing. But I have none for Sharon Greener. I have none. Because what she enabled to go on for so long was just so morally reprehensible that how she will be handled is something that's a question for beyond me. Do I wish the Park Service wouldn't have come to an agreement and allowed her to retire and take retirement?

In this case, yeah, I think they should have played a little harder ball, because she was so fundamentally dishonest. But that's how the agency has chosen to handle this. That's how they oftentimes choose to handle things. And it's, in my view it's not healthy. It's not healthy for the agency, and it doesn't promote a healthy working environment. You know, if you're concerned about these workplace surveys and wondering why we're 240th out of 260, well, take a look in the mirror and then maybe pull out some of these things and ask, how did we get there?

DAVID BARLAND-LILES: On 4th of January of 2016, Tom Munson plead guilty to that charge of embezzlement. We also established the terms of the sentencing that he accepted. And those criteria included restitution of almost $109,000, some jail time, which we recommended ten consecutive weekends followed by a year of home confinement that's monitored. Also an apology to the tribes and the National Park Service for the crime he did.

VOICE OFF CAMERA: Three, two, one...

TOM MUNSON: To all Native Americans, particularly to the tribes associated with Effigy Mounds National Monument, and to the National Park Service and to all Americans, I deeply regret and I am unilaterally sorry for the events surrounding the misappropriation of Native American human remains by me. I apologize wholeheartedly. While I inappropriately stored these human remains in my garage in garbage bags inside cardboard boxes without temperature, humidity, or other environmental controls for years, please understand that I did nothing else to deliberately harm them.

PATT MURPHY, NAGPRA REPRESENTATIVE, IOWA TRIBE OF KANSAS AND NEBRASKA, 1999 - 2015: The apology that he wrote, the only thing that he wrote on there was his signature. The rest of it was all done by a lawyer. And it was condescending. It wasn't an apology. It was an excuse. I have no sympathy for him.

JIM NEPSTAD: After all he put us through, I don't feel an ounce of sympathy for him. I know our tribal partners don't.

DAVID BARLAND-LILES: After sentencing, the U.S. Attorney came down. And the first thing he asked was, "Where's your brass?" The National Park Service here is represented by me, by Jim Nepstad, Superintendent of Effigy Mounds, and by Reid Robinson, the tribal liaison for the regional office. He's like, "Yeah. Where's your brass?" "They're not here." "Why?" "I don't have an answer for that one." "Because what you need to know is this case profoundly changed us as people. And I need your people to know that." So he wrote a nomination to the Secretary of the Interior for a Distinguished Service Award for myself, Jim Nepstad, and Bob Palmer. And I'm eternally grateful.

JIM NEPSTAD: The sense that I get talking even to my peers is that it truly was an isolated incident. I really, really hope that anybody that is seriously interested in learning what happened at Effigy Mounds National Monument takes this point home. It can happen where you are. These things can and have happened across the country. Quite possible, it's happened in the park where you're currently working and you just don't realize it.

CAVEN CLARK, CULTURAL RESOURCE MANAGEMENT SPECIALIST, BUFFALO NATIONAL RIVER: I was approached by a Park Service employee who I would've thought knew better. He asked the question, why are all the parks being punished because of what happened at Effigy Mounds? And I was stunned by the comment, because it showed me a real lack of appreciation of the depth of the problem, even presuming that it was unique to one park. We know that Effigy Mounds may be an extreme case, maybe not an extreme case, but certainly not a unique case.

CAMERON SHOLLY, REGIONAL DIRECTOR, 2015 - PRESENT: Look at Effigy Mounds as a wake-up call. It underscored the importance of ensuring that we adhere to 106 and NEPA Compliance, take it seriously. It's a multi-disciplinary approach, it has to be. And if not, we see failures like we saw at Effigy Mounds.

BOB BRYSON, ASSOCIATE REGIONAL DIRECTOR FOR CULTURAL RESOURCES, 2016 - PRESENT: I think it's really important that we are eliminating some of the silos that we've had between disciplines. Facility Management sits over here and has always sat over here, and Cultural Resources somehow is separate. When in fact, once again, we're all working on the same thing. We have the same mandate, regardless of what division we're in, to preserve and protect resources. There's no reason why Cultural Resources and Facilities shouldn't walk the same path together, because we're all working on the same thing.

JIM NEPSTAD: I think the best line of defense is our own employees. Anybody who cares about the resources, about the visitors of a particular park, you're the thin green line as they say. You're the person who is best in a position to make sure that things like Effigy Mounds National Monument never happen where you are.

ON SCREEN PRINT: 73 construction projects were completed at Effigy Mounds National Monument without having gone through the 106 and NEPA compliance processes

One section of the boardwalk was removed in 2010 but the rest remain in place. The trail currently ends immediately across the Yellow River Bridge, earning the local nickname "The Bridge to Nowhere"

The park is currently working with the 20 associated tribes to determine the best final resting place for the stolen people.

Ken Block left the National Park Service in 2009, listing a hostile work environment as his reason.

During the tenure of Phyllis Ewing, five other employees left the Park Service listing a hostile work environment as the main cause.

Phyllis Ewing attempted to sue the Park Service for wrongful termination but missed her deadline to file.

Sharon Greener sued the Park Service in 2013 for wrongful termination.

The NPS paid Sharon to settle the lawsuit.

BOB PALMER: You start to think about the cosmic tumblers as they're falling through space and how all this stuff fits together, and all the people that are woven into this story and these set of events. And it's just like, this Effigy Mounds thing is, as I believe David Barland-Liles has said, he said, "Yeah, Effigy Mounds. What a strange place. It's in the middle of nowhere, but it's the center of everything."

END