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LOGAN'S TRUTH

Five-year-old Logan Marr died while in the custody of the Maine Department of Human Services, calling into question DHS methods and tactics.

BY TERRILYN SIMPSON

On February 4, 2001 the Maine Department of Human Services finally let five-year-old Logan Marr go home to her mother. Christy Baker Reposa read her daughter her favorite story -- "Pooh Gets Stuck." She combed her long, dark hair and dressed her in her best dress. And then she laid her in her casket.

The Maine Department of Human Services sent Logan Marr home dead.

She died January 31 and the early rumors surrounding her death were awful for her family to bear. Although for weeks the Maine State Police neither denied nor confirmed those speculations, one detail was consistent. A state police spokesman announced soon after Logan's death that she likely died as the result of being disciplined in the Chelsea, Maine, foster home where she and her younger sister, Bailey, had been placed by the state to protect them. Their own mother had been accused of moving too often and of living in an apartment that was too small. Christy had never been accused of raising either hand or voice against her children.

When the investigation into Logan's death was finally concluded, those early rumors paled next to the horrors of the facts.

Maine DHS caseworker Allison Peters allegedly ignored documented complaints that the young sisters were being abused by foster mother Sally Schofield, a former, longtime adoption caseworker for the same state agency -- the Maine Department of Human Services.

Logan had asked often to go home to her Mommy and to her "Nanny," maternal grandmother Katlynn Badger, both of Dover-Foxcroft, Maine. She was allowed to see her mother once a week, her grandmother, not at all. Peters had determined that Katlynn had "mental health issues that allegedly remain untreated." Badger said she asked often for visits with her granddaughters but was consistently denied by DHS officials without explanation. Badger had also requested, when the girls were removed from their mother's custody, that Logan and Bailey be temporarily placed in her home, with her and her husband, Ronald Badger, but said she was simply told "No" without elaboration. The federal kinship care act mandates that family members receive primary consideration over non-family caregivers for placement of children removed from their parents' care.

If the allegedly "untreated" mental health issues were the basis for the denial, Kat Badger said Peters never discussed that topic with her. If she had, said Badger,



Peters would have discovered that Badger had been in counseling for years -- seven to that date -- and continued to see a counselor on a weekly basis. Her mental illness? Kat Badger suffered bouts of agoraphobia, a fear of leaving her home, and wrestled with anxiety attacks. Peters failed to note specifics in frequent entries on Badger's problematic mental state -- such as how those issues would adversely affect Badger's dealings with her granddaughters -- nor does Peters note that Badger was no longer held hostage by her condition.

Nor does DHS substantiate its need for Christy to sever relations with her mother save an oft-quoted vague statement from a DHS hired therapist that when Christy "became involved with her mother...Christy typically began making bad decisions for herself and her children." DHS does not elaborate on the nature of the "bad decisions." But DHS officials were, according to Christy, unhappy with her mother's constant push for answers and with Badger's ability to bolster her daughter when Christy felt beaten by the endless DHS maneuverings.

'Family Ties' continued on page 2

TIMELINE

- October 14, 1995** - Logan Marr was born
- May 1997** - The Maine Department of Human Services first became involved with Christy Baker Reposa regarding her daughter Logan
- August 1998** - Logan was removed from her mother by the Maine Department of Human Services and placed in her first foster home
- December 8, 1998** - Bailey Marr was born
- March 24 1999** - Logan was returned to her mother's custody
- March 7, 2000** - Logan and Bailey Marr were taken into custody by the Maine Department of Human Services and placed with foster mother Mary Beth and husband
- August 28, 2000** - Foster mother Mary Beth threw four-year-old Logan onto her bed and held her down by her neck
- September 1, 2000** - A counseling agency hired by Maine DHS to evaluate Logan concluded there was no evidence that Logan had been abused by her mother and recommended that Logan "receive mental health treatment to cope with the separation from her biological mother."
- September 4, 2000** - Logan and Bailey were removed from the home of foster mother Mary Beth and her husband and placed in the custody of Sally and Dean Schofield
- October 12, 2000** - Christy complained during a DHS supervised visit with the girls about marks on Bailey
- November 14, 2000** - DHS Caseworker Allison Peters chastised Christy in writing for verbalizing concerns about her daughters' treatment in their foster home
- December 18, 2000** - Logan complained to her mother during a DHS supervised and videotaped visit that Sally Schofield was hurting her and her little sister Bailey
- January 3, 2001** - Logan complained during a DHS supervised visit with her mother that she was being abused by Sally and Dean Schofield and Sally Schofield's teenage son; visit supervisor forbade Christy from pursuing conversation with Logan
- January 16, 2001** - Sally Schofield told a therapist that when Logan became highly escalated on New Year's Eve, "they had her scream in the basement in a high chair."
- January 31, 2001** - Logan Marr died at the hands of foster mother and longtime DHS caseworker Sally Schofield, in a high chair in the basement of the Schofields' Chelsea, Maine home

Family ties broken

Shutting Katlynn Badger out of the family picture is not an unusual tactic for Maine DHS. Although federal kinship care law mandates that states give preference to a relative “over a non-related caregiver when determining a placement for a child, provided that the relative caregiver meets all relevant state child protection standards,” Maine rarely does so. In fact, the state had not even bothered to establish a policy for complying with the federal law, established by Congress, or the state law passed in 1999.

In an apparent flouting of the kinship mandate, Maine DHS Commissioner Kevin Concannon has stated publicly that placing children with relatives may not be the most positive step regardless of the qualifications of the relatives because, according to Concannon, biological parents may be in no rush to rectify their problems if their children are situated with family members.

In 1998 Maine DHS placed only five percent of the 2,998 foster children in its care with relatives -- the third worst state record in the country.

In the Maine State Plan for Title IV-E of the Social Security Act for Foster Care and Adoption Assistance, with which Maine is mandated to comply to receive federal funding, state DHS officials simply left blank the section which should contain the implementation plan for complying with the kinship care act. That leaves Maine DHS officials pretty much free to do as they please and critics are quick to point out that’s exactly what they’re doing.

In short, it’s like passing a law requiring automobile inspections but then not establishing any standards for inspection procedures. With the DHS omission, of course, the lives of children and survival of families are at stake.

Maine does not receive federal compensation for children placed with relatives — grandparents for instance — unless the relatives are willing to become fully certified foster parents, a step not legally necessary to assume care of the children of family members. And to the inconvenience of DHS officials, who have often exhibited a dislike for being challenged on any level by family members, relatives are likely to ask more questions and to advocate more for the children in their care than foster parents, and are often less compliant with bureaucratic manipulations. (While Christy as a young mother lived in constant dread of DHS and jumped repeatedly through whatever hoops they set before her, Katlynn Badger often stood her ground and demanded explanations, and encouraged her daughter to do likewise.)

Not only does DHS often ignore the availability and willingness of grandparents and other relatives to temporarily, or permanently, assume care of Maine children whose parents DHS deems unfit — with the relatives often given no reason for the denials — DHS caseworkers and other officials have also developed a track record for dictating the termination of relationships between other family members. The DHS rationale is murky at best.

In Christy’s case, Allison Peters had ordered her to sever relations first with her mother and then, when Christy married, from her new husband, Paul Badger.



Allison Peters ordered Christy to sever relations with her mother, Katlynn Badger, left.

terrielyn simpson photo

There is no mention in the extensive documentation that Paul Badger was suspected in any way of any type of abuse of children nor was there any indication that he was a likely abuser of Logan and Bailey. He had, by his own admission, burglary and theft charges from approximately 10 years previous when he’d been in his late teens and for which he had served time, and a dispute with a first wife which had escalated to her shoving him and him grabbing her shirt. Badger said he was charged and decided to plead guilty and move on with his life.

Christy Baker and Paul Badger met when she was 22 and her mother, Katlynn, was dating Paul’s father, Ronald Badger (to whom Katlynn is now married). They fell in love — Christy with Paul and Paul with Christy, Logan and Bailey. “He was fantastic with them,” said Katlynn. “He treated them as if they were his own...” Her voice quivered. Later, during the long, ongoing battle with DHS, a state-hired therapist would attempt to further malign the young couple by painting their relationship with an incestuous overtone because of the relationship between the couple’s parents.

Three days after Christy and Paul married, DHS workers Allison Peters and Julie Clark arrived with two deputies and said they were taking custody of Logan who was three and Bailey who was a baby. Christy pleaded with the social workers not to take the girls. “You can’t do this to us,” she told them. She remembers Peters’ answer clearly. “She looked at me and said ‘Oh yes, we can.’”

Paul was holding the baby and an armed deputy demanded that he hand her over. Paul quietly refused, saying he would give the baby to no one but her mother, that what happened then had to be Christy’s decision. In reality, Christy was given no say.

Christy physically crumpled and Paul tried to hold her up as the car pulled away with Logan screaming and crying and Bailey looking confused. Although Logan would eventually be allowed some home-supervised visits with her mother, she would never again live with her.

Origin of Complaint Uncertain

Christy and her mother say they’d never been sure of the origin of the complaint to DHS but records indicate it involved, at least in part, a stay in Florida a short time before for Christy and the girls with Christy’s father and his wife. (Katlynn Badger and Christy’s father divorced when Christy was 13.) Peters accused Christy in her DHS documentation of allowing the girls to have contact with Christy’s father who Peters described as “a convicted sex offender...” Badger and Christy say Christy’s father was not convicted of a sex offense — that there was a charge against him of an assault on a minor from more than 10 years previous, involving Christy, an incident about which Katlynn Badger was not told until after she and her husband separated.

The timing of the disclosure to Badger is key because Peters additionally uses the incident against Badger, indicating she was not fit to have contact with her granddaughters, accusing her of failing to protect Christy from abuse. Badger points out that she did not find out about the incident of abuse until a couple of years after it allegedly occurred and that, when told, she immediately contacted the police and took steps to insure that the matter was dealt with appropriately. Badger said those steps resulted in Christy’s father undergoing counseling arranged by the branch of the armed services in which he served. Christy said she believes her father had some rough spots to deal with from his own childhood and that the counseling helped resolve some of ‘Complaint’ continued on page 6

DHS Records Counter DHS Spin

BY TERRILYN SIMPSON

Logan Marr died January 31, 2001 of asphyxiation while she and her two-year-old sister were in foster care in Chelsea, Maine. She was bound to a high chair with more than 42 feet of duct tape, which was also placed over her mouth, and left alone surrounded by concrete walls and piles of junk behind a blanket curtain in an unfinished section of a basement.

Originally DHS officials said DHS had no knowledge that Logan was being abused in the home of foster mother Sally Schofield, a former DHS caseworker who has been convicted of manslaughter in Logan's death. Then her mother, Christy Baker Reposa, released a video tape of a DHS-supervised visit between Christy and her daughters -- her last Christmas with Logan -- during which Logan describes Sally Schofield squeezing her face until it hurt and doing the same to her little sister Bailey. DHS officials said Christy should have told someone. Then they said the caseworker probably should have reviewed the allegation more thoroughly but that, well, Logan told stories so who knew what to believe...

If Logan Marr told stories, she repeated the same theme often. And Christy was told not to discuss details of foster care with her girls during her only contact with them -- her two-hour weekly visits -- or risk losing even that little bit of time.

Visitation rules for parents of children in DHS custody include a stipulation that no talk of foster homes is allowed during any visit. The rule list is punctuated by a bold print reminder at the end that **"Visits will be ended or cancelled if you do not follow the rules."** A separate reminder threatens parents that if any of the rules are not adhered to, **"The Department may pursue a motion to the court to have the visits ended."**

As it was, Christy had never been allowed the four visits per week ordered by the court and she regularly lost visitations because of holidays, conflicting plans of the foster parents, inclement weather and even the minor illnesses of her daughters.

After being threatened with reprisals, Christy was told if she had concerns about her daughters' care to call DHS caseworker Allison Peters -- a person already proven heavy-handed with her authority. With DHS threats hanging over her, Christy was given little

opportunity to discuss Logan's concerns with her. Still Logan repeated her complaints and Christy called -- but Christy said Peters rarely called back.

What DHS officials have additionally not disclosed is that written accounts of Logan's complaints of abuse were submitted to DHS. Following are excerpts from those notes, submitted to DHS by visiting center supervisors.

On December 18, 2000, Christy took the holiday to her girls. According to the visit supervisor: *Christy had her Christmas with girls. As they started opening presents Logan said to Christy, "You know Sally my birth mom -- she did this to me and I cried."* Logan

Logan said, "but not my home visit Christmas." Christy didn't reply. (DHS received this report, in writing, on Dec. 28, 2000, approximately a month before Logan died.)

During another supervised visit, Christy said Logan told her that her foster mother was wrapping Bailey in a blanket when Bailey was bad.

To the October 12, 2000 visit *Christy brought birthday cake and presents for Logan and Bailey (It was Logan's fifth birthday). ...a Winnie the Pooh book, a Barbie doll, a Barbie sticker book and two homemade afghans, one from Mom and one from Nanny (Christy's mother) ...brought Bailey two new posh toys. Logan got*

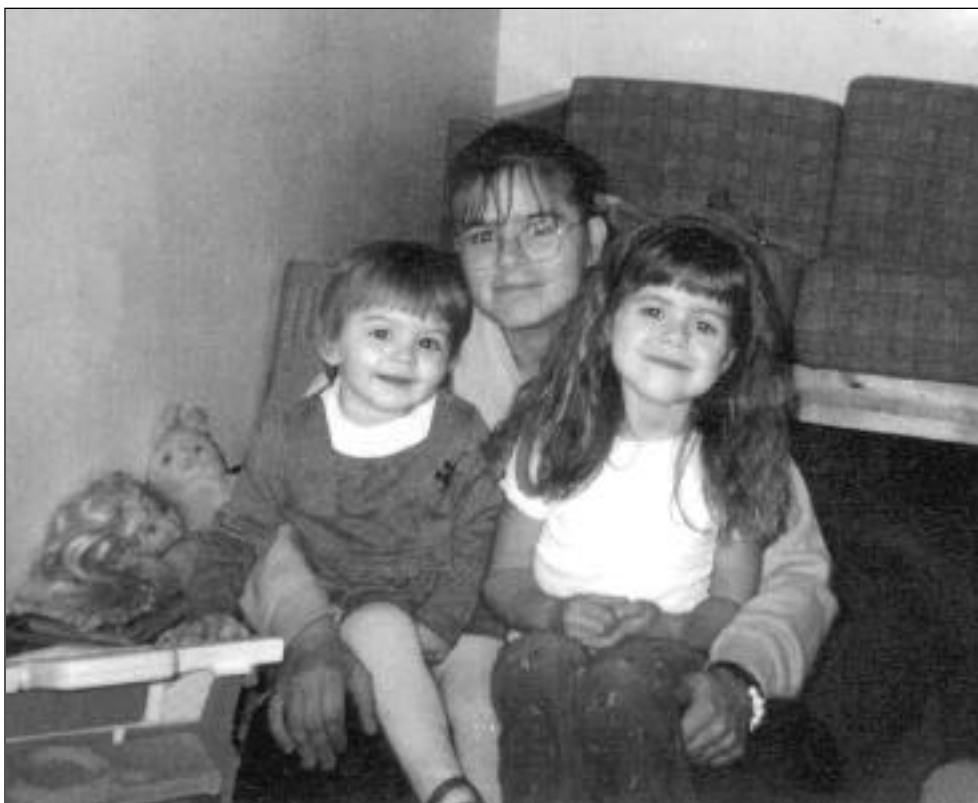
the purple bunny cake that she had requested and Mom had balloons in room. Logan kept telling Mom throughout visit that she was her favorite person in the whole world. Logan mentioned that she was going to have two more birthdays -- one at Grammy's and one at home. Christy said that she hoped that both birthdays would be great. Logan responded that her "visit birthday" was the best...

Later in the visit, *Christy changed Bailey's diaper and was very upset over what appeared to be a diaper rash. When visit supervisor commented to this effect, Christy replied quickly that she had known her girls long enough to know what their diaper rashes looked like (Christy later said she also told the supervisor that this was "no diaper rash.") V.S. (visit supervisor) told her that her concerns would be noted. Christy then told Logan that if anyone does anything that she doesn't like or doesn't feel right she should tell her. She told her that she could tell her mother*

anything and Christy would never get angry at her.

Christy was chastised for verbalizing her concerns. On November 14, 2000, Allison Peters sent a letter to Christy, emphasizing that Peters was aware of Christy's concerns about her daughters and once again discouraging her from pursuing discussions with Logan. Peters wrote, "She (Logan) does not need to distrust her foster home nor any of the individuals caring for her. You could have very well left Logan with a sense of fear and distrust..."

The letter references Christy's visits as "causing a great deal of anxiety for both" Logan and Bailey. Peters seemed to consistently overlook what DHS 'Records Counter Spin' continued on page 6



Logan's little sister Bailey, Christy and Logan
photo: courtesy logan marr family

squeezed her cheeks together with one hand to demonstrate. Logan said, "She did it to Bailey, too."

Christy said, "Not your birth mom -- your foster mom."

Logan said, "Yes."

Christy said, "I'm sorry that happened but let's not think about it now. Let's have a nice Christmas together." As Logan was taking her presents out of the Santa bag she exclaimed, "Mommy, you did a lot of shopping -- it's almost like Christmas!"

Christy said, "It is our Christmas."

editorial

When Logan Marr died at the hands of foster mother and longtime DHS staffer Sally Schofield on January 31, 2001, the Maine Department of Human Services was already under fire for its heavy-handed tactics in child protective cases with questions initiated by the department's intrusion into the life of Michaela Corbin Bumford. The added scrutiny prompted by the death of five-year-old Logan in DHS protective custody seemed to trouble DHS Commissioner Kevin Concannon not at all.

There was, after all, little reason for Concannon to be bothered for the commissioner, it seems, knew then what members of the public have only since surmised. Commissioner Concannon holds himself accountable to no one because no one holds the DHS commissioner accountable, least of all the governor or members of the legislature's Health and Human Services Committee.

Although, with only weeks remaining in his term, it is too late to hold Governor Angus King politically accountable for his role in the state's foster care debacle, King's failures and manipulations in that arena should long be examined and remembered. And when Maine's former governor moves on to stake lucrative positions on sundry corporate boards in say, the computer industry where he has expended so much self-serving and self-aggrandizing energy, it should be loudly noted by the citizenry of this state that Angus King exited office with the death of a five-year-old child on his hands.

The governor was forewarned, prior to Logan's death, of serious problems in the state child protective system and yet, given numerous opportunities to act, he consistently proclaimed, through his actions and lack thereof, state officials not only non accountable but infallible.

Two years before Logan Marr died in DHS custody, the Maine Department of Human Services had taken custody of Michaela Corbin Bumford. The Augusta, Maine girl -- then less than two years old -- was taken from her mother and maternal grandmother, with whom she resided, because the state agency blamed them for Michaela's failure to thrive. Michaela Corbin Bumford had, and has, cystic fibrosis. A primary characteristic of her life threatening disease is, because of a missing enzyme which would allow her to properly digest food, a failure to gain weight -- a failure to thrive.

Michaela was accurately diagnosed with CF only because of the perseverance of her mother and maternal grandmother who had refused to accept numerous misdiagnoses of her chronic health problems. She was, in fact, already hospitalized when the Maine Department of Human Services -- infamous for what one national child and family advocate describes as a "Take the child and run mentality" -- took custody. Michaela's mother and grandmother were barred from even seeking a second opinion in Michaela's treatment.

The governor was contacted numerous times by Michaela's maternal family members who asked for any type of help, oversight or recommendation for scrutiny of the state's child protective system. When he was asked

about the case during a radio interview, King answered he did not know enough about it to respond. Oddly, a member of Michaela's maternal family had just previously received a letter from the governor indicating he'd reviewed the case thoroughly and decided to do nothing. The case prompted other family members in other child protective cases to step forward with similar accounts. Still the governor and other state officials continued to spin information to favor DHS.

DHS officials routinely hid behind a veil of secrecy, citing the allegedly mandated confidentiality of DHS files. Behind the scenes and in occasional response to increased media scrutiny of DHS procedures, selected versions of confidential information regarding DHS targeted family members were released through numerous outlets, including the governor's office which occasionally treated inquiring officials, such as legislators, to a private scoop on a particularly troublesome individual who had momentarily captured the public's attention with seemingly disturbing details of how a case had been handled by DHS officials.

DHS officials worked with the courts to continue to bar the media, advocates, members of the public and even legislators from controversial child protective cases, allegedly to protect children like Logan Marr and Michaela Corbin Bumford. That closed door policy blanketed hearings regarding Logan Marr's younger sister, Bailey, who languished for months in state custody following Logan's death. That ruling stood even though Bailey's mother and her attorney had requested the proceedings be opened to public review. Unlike DHS officials, Christy Baker Reposa was willing to support her claim she had nothing to hide.

But while controversial cases remain closed and legitimate questions regarding DHS tactics go unanswered, DHS officials in a brief bout of self promotion have opened a handful of selected child protective files and related proceedings to a national film crew. Is the governor and the commissioner suggesting their willingness to open the files of a few carefully selected cases absolves them of blame in cases like that of Logan Marr?

When Logan Marr died at the hands of the individual selected by DHS to care for her, Kevin Concannon stepped to the plate to proclaim the absence of any failure or wrongdoing on his part or on the part of DHS. There had been no indications of problems, no telltale signs, he said. And the dead child had been known for her untruthfulness. One must ask, what kind of a person would malign the character of a dead five-year-old to protect his own career?

Logan Marr was as much a victim of the Maine Department of Human Services as she was a victim of Sally Schofield.

As for Concannon's claim there was no indication of any problems with the placement of Logan Marr with Sally Schofield, DHS officials placed a child who likely should not have been removed from her own family in an unlicensed foster home with one of their own staff members -- against DHS regulations. This placement occurred after an evaluation by a prominent DHS-hired therapy agency determined there was no evidence Logan had been abused while in the care of her mother and that her ongoing trauma was likely a result of being separated from her mother.

According to testimony, DHS then made an agreement with Sally Schofield to allow her and her husband to adopt two little girls who were, as far as the girls' mother was being told, supposed to be reunited with her.

No problems with Schofield? The results of a pre-adoption study of Sally Schofield and her husband pinpointing problems was not only ignored but altered to make it more favorable to the Schofields. DHS evaluations of Sally Schofield as a longtime DHS caseworker categorized her as someone who could not accept or admit being wrong, ever, and of exhibiting a consistent inability to learn from her own mistakes. Her DHS supervisor further noted that Schofield was arrogant and

saw herself as knowing more than everyone else. These concerns were ignored by DHS officials.

Reports to DHS from Logan's counselor, Kathleen Madore, regarding Schofield's inappropriate interactions with Logan, were ignored. Although it's not clear whether the subsequent counselor, Jennifer Jones, immediately reported that Schofield was leaving Logan in the basement confined to a high chair to scream alone, DHS caseworker Allison Peters and guardian ad litem Lawrence Irwin both had legal access to that information and to Jones' observations regarding interactions between Logan and Schofield. Were the officials responsible for overseeing Logan's care not bothering to check or were they checking and ignoring to enhance the DHS advantage over the mother? And Logan's babysitter, who seemed to care about her, knew about the endless hours Logan spent in isolation and about Schofield's weird insistence that she was always right even when she was wrong and again, about Logan being placed alone in the basement in a high chair. Was anyone checking in with her?

There were no telltale signs, Commissioner Concannon? Sally Schofield consistently delivered Logan and her sister late to nearby scheduled visits with their mother, when she bothered to show up with them at all. There was the concern of Logan's and Bailey's mother, Christy Reposa, about suspicious marks on Bailey and about Schofield coaching the girls not to use their own last name -- concerns which were dealt with by DHS threatening the mother to keep her concerns to herself or risk losing her visits with her children.

There was no hint of trouble in this seemingly picture perfect home selected by DHS, Commissioner? Logan Marr made documented complaints during supervised visits with her mother, that she and her little sister were being abused in the home of Sally Schofield. Accounts of those concerns were submitted in writing by a visitation supervisor to DHS. Again, both the caseworker and the guardian ad litem had legal access to this information. Was DHS not paying attention or did DHS officials just not care?

Were these accounts of abuse the indicators that Logan was an exaggerative, untruthful child who could not be believed, Commissioner Concannon?

That Kevin Concannon has been allowed to glibly maintain this stance, while refusing to submit any report or answer any question concerning the death of this five-year-old child, that he has been allowed to lie, unchallenged by the governor and members of the legislature's Health and Human Services Committee, is an indictment of every official who has participated in this conspiracy of silence.

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Her father's perspective

BY TERRILYN SIMPSON

When John Wagg was told by representatives of the Maine Department of Human Services DHS would not allow his daughter, Logan Marr, to live with him because he was a single male in his twenties, he pleaded with DHS officials to at least place his child with his mother. Elaine Wagg, who lived only two miles from her son, had raised three children of her own, is employed fulltime as a CNA (certified nurse assistant), had helped care for Logan in the past and had requested at least temporary custody of both her granddaughter and Logan's younger sister, Bailey, who is no relation to the Wagg. That's when DHS explained to John that although some states have a kinship care law, Maine did not.

It was well after Logan died at the hands of the foster mother who DHS decided was a more appropriate caregiver for Logan than her family members that John ascertained he'd been lied to by DHS. Both John and Elaine Wagg said the anti-family stance was shared by DHS caseworker Allison Peters and supervisor Margaret Marcotte, though both mother and son recalled the initial information -- that Maine was not required to place foster children with qualified family members -- came from Peters.

Maine is in fact mandated to comply with federal kinship care law, which states that DHS shall give preference to eligible family members of a child removed from parental custody when seeking caregivers for the child. The federal law was passed in 1996; Governor Angus King and DHS Commissioner Kevin Concannon signed an agreement to comply in 1997. To reinforce state compliance with the federal kinship care mandate, a state law sponsored by former State Representative Debra Plowman of Hampden, at the urging of child and family advocate James Labrecque of Bangor, who is currently running for a seat in the state legislature, was passed in 1999.

John Wagg was 24 when Logan was born. His relationship with Logan's mother, Christy Baker Reposa, had been sporadic and brief and he said he initially thought it unlikely he was father of the baby girl. But he visited a few times and a paternity test when Logan was about one confirmed what Christy had insisted upon from early in her pregnancy. Soon after, he started paying child support but by then he was already \$5,000 in arrears, a hefty amount for someone whose income was dependent upon relatively low-paying work in a textile mill, a sawmill and in the woods when employment there was available. Initially, half of what he paid chipped away at the standing child support debt and half was applied to current support. And he began to get to know his young daughter.

He took Logan for one to two weekends a month as his schedule and Christy's living situation allowed. He offered no criticism of Christy's parenting. Responding to rumors and innuendoes seemingly initiated by DHS officials attempting to deflect blame after Logan's death, suggesting that Christy had had substance abuse problems, John countered that was an unlikely scenario with Christy who he said would usually sip a single glass of wine throughout an evening of socializing and who was not typically drawn to either heavy drinking or drug use.

Christy's contentious relationship with DHS seemed to stem from a personal animosity between Christy and Peters, and from Christy moving frequently, which she has acknowledged though again, the number of moves was likely exaggerated by Peters to reinforce the state's case against Christy. The moves did affect the frequency of his visits with Logan, admitted John; for instance, he did not see her for the approximate seven months Christy lived in Florida with the girls.

The adversarial relationship between Christy and Peters, he said, "was almost like a boxing match -- like you were waiting to see who's going to get the first swing in..."

At the beginning of Christy's involvement with the state, prior to the first time DHS took Logan away from her, John found both the process and his expected, or even allowed, level of involvement simply confusing. Although he knew Christy was being monitored on some level by DHS, he wasn't clear what he could or should do. "The first time Christy lost custody of (Lo-



Logan and her dad after a swim in the family pool.

photo: wagg family album

gan), I hadn't really realized how deep Christy was in with them (DHS)."

When he finally went to court "for whatever they were conducting on Christy, DHS investigation or whatever you call them things," he was asked by the judge "where I'd been for two years...he asked 'why haven't you been in my courtroom for two years?'"

"I looked at him and said 'cause I didn't know I needed to be here... He kind of made me feel like a deadbeat dad by looking down on me... He said this trial or whatever had been going on for awhile. I said I'd been working and paying child support, that I didn't know..." John had harsh words for the district court judge who he said listened to no explanations from him, including the initial disagreement over paternity, nor John's explanation that he was there, in the courtroom, to try to understand the process, to try to figure out what was going on. "The judge declared me (guilty of) child abandonment... By him making that ruling that day, that put a

black mark on my record with DHS... They were trying to tell me I didn't want nothing to do with my kid... So they made me sign a paper for (Christy) to go to mother's school or whatever you call that...parenting class....so they made me sign that..."

When Logan was reunited with her mother, John recalled Christy told him it was time he started spending time with her on a regular basis, time he got to know her. He was living at the home of his mother and he started having Logan on weekends. He'd take her for walks, read to her, swim with her in the family pool, visit his grandparents "so that she could get to know them."

Logan, he said "had a lot of energy -- she was really smart -- she picked up on things real fast -- she was really independent -- once all this stuff started happening with DHS again...she really started trying to play the mama role to Bailey...I think she kind of realized that even though there were adults taking care of her when she wasn't with Christy, she still had to, she still felt the need to, take care of Bailey."

The dismissive attitude initially exhibited by the district court judge was an ongoing problem for the Wagg with other officials involved in the case. They were given no reason for the DHS refusal to place Logan with a family member, no reason for the brevity of the stringently supervised visits John was allowed with her. (He had not been accused of abusing Logan, though Peters, in identifying him in relationship to Logan, referred to him in DHS records as "abuser.") John was not allowed to even walk with Logan in the yard of the building where he visited with his daughter. When he complained that the closet-like basement room where he, Logan and a visiting supervisor met was cramped, dark, damp and cold, "like a prison cell," DHS retaliated by moving his visits from Lewiston to Augusta, significantly adding to his travel and the weekday time he was forced to miss from work. When he packed juice and granola bar snacks in his cooler for mini-picnics with Logan during visits, he was criticized for bringing the cooler he'd used when working in the woods. He couldn't scrub it enough to satisfy them, said Elaine; he was told it looked dirty -- the scuff marks and scratches made it unsuitable. For the Wagg, it was a reminder that Logan's father was never going to measure up to a standard high enough for Allison Peters or DHS.

When Elaine tried to reason with Peters, to ask her if she had children, to make her understand what they were going through, Peters, said Elaine, told her in no uncertain terms that the topic was none of Elaine's business. "She was never apologetic -- no, not Allison."

Peters, said Elaine, seemed to always look down on John. "The position she had went to her head...with her authority, she could destroy somebody's hope."

The Wagg family was never allowed to hold the party they'd planned for Logan's fifth birthday. John had told Peters he wanted five hours that day to take Logan to his mother's, two hours of that for travel time. His great-grandmother was to be in attendance, as were Logan's grandparents, aunts, uncles and cousins. John said he called Peters with the request at least a week ahead. "I called her ten times a day for a week."

John discussed plans with the counselor DHS demanded he see, who suggested if DHS needed added assurance, the visit supervisor and the caseworker were welcome to attend. John and his mother even said Sally Schofield and any other DHS officials would be welcome. Initially Peters said yes, then called back and said *'Father' continued on page 28*

Records Counter Spin

Continued from page 3

records indicated as a strong possibility -- that what was causing the girls' anxiety was DHS preventing them from being with their mother, who had never hurt them, and instead, sending them back to a foster home where they were being mistreated. That revelation, however, was detrimental to the DHS intent of permanently severing Christy's relationship with her daughters. DHS had filed a motion to terminate Christy's parental rights. A DHS official indicated in testimony during the Schofield trial that DHS intended to allow the Schofields to adopt the girls.

Peters ends the letter with a thinly veiled threat, stating that her purpose in writing is to "help" Christy "make your visitation a positive experience for Logan and Bailey **so that it will continue**"

On January 3, 2001, less than a month before Logan's death, Christy visited with her children at the Augusta visiting center. Under the ever watchful eye of the visit supervisor, Christy *played on floor with Logan and Bailey. They did animal sounds... Logan asked Christy to tell her how she acted when she was one and two. Christy did and Logan seemed to enjoy hearing these stories...*

Out of the blue (Logan) stood in front of Christy, put her hand over her mouth and said that Derek (Sally Schofield's teenage son) "and Mom (foster mother Sally Schofield) do this to me and I don't like it." Christy asked her if she was joking and she said, "No and Daddy held me like this," holding her arms around an imaginary bundle. (Since Logan was describing what was going on in her foster home, "Daddy" presumably referred to Dean Schofield, Sally's husband.)

Christy said "What?"

Logan replied, "He wrapped me up in a blanket and Derek and my foster mom do this to me." Again indicating the hand over mouth. V.S. (visiting supervisor) shook her head at Christy and the conversation ended. (The report was submitted in writing to DHS on January 25, 2001 -- approximately a week before Logan's death.)

There had been suggestions that something was wrong at Logan's new foster home at least as far back as the end of October, three months before she died. According to the written account submitted to DHS for the October 30 visit, Logan told her mother she sometimes got into trouble at home. Christy *asked her to explain but Logan didn't want to. Christy told her that was okay - they didn't have to talk about it. Logan was quiet for a moment and then said, "I don't like Sally, Bekk"* (a babysitter, related to Dean Schofield through marriage, who testified against Sally Schofield during the murder/manslaughter trial) *or Derek.*

Christy said Sally seemed like a very nice lady, did many nice things for the girls and dressed them beautifully. Logan burst into tears, Christy held her and told her she would always be there for her.. That, however, was a promise DHS prevented Christy from keeping.

On at least two separate dates the visit supervisor wrote that Logan said Allison Peters never comes to the foster home. There are numerous requests from Logan to go home with her mother.

On October 26, 2000, Christy became very upset to discover that someone was apparently coaching Logan to use the surname of her foster family. According to the visit supervisor, *Christy was saying the girls' complete names to them* (a game Christy often played with her daughters so they'd know their correct names) and *'Records' continued on page 8*

Complaint/ from page 2

those issues. Peters, however, claimed in her paperwork that Christy's father received no treatment.

Christy made the decision to move to Florida, where her father and stepmother lived, for a variety of reasons. She'd dropped out of high school and with little education was struggling unsuccessfully to support herself and her daughters with minimum wage jobs. (A month before Logan died, Christy enrolled in classes to earn her high school degree.) She had no driver's license and no access to a vehicle to learn to drive. Discouraged, she called her father who agreed to help her get on her feet.

Christy's father was remarried and her stepmother worked in a daycare center where Christy immediately enrolled the girls. Conscious of their troublesome history, Christy said she and her father set immediate ground rules to avoid accusations of impropriety -- mainly, her father suggested he not be alone with the girls. This they thought would avoid groundless accusations. But while actual accusations regarding abuse were not made, and there is no indication in the documentation that there were even suspicions of abuse, Peters later made repeated suggestive statements about Christy allowing her daughters contact with their grandfather.

Oddly while Peters was using Christy's temporary stay with her father and his family as ammunition for removing the girls from Christy's custody, Peters was allowing Christy's stepmother, who lived with Christy's father, to maintain telephone contact with foster mother Sally Schofield regarding Logan and Bailey. Christy said her stepmother also told her, following Logan's death,

In her call to her mother following Logan's birth, Christy shouted into the phone, "Mom, I've got my beautiful girl..." Here Christy, holding the newborn Logan, poses with her mother and maternal grandfather, George Marr.

photo: courtesy of logan marr family



that she and Christy's father had been discussing with Peters the possibility of gaining custody of the girls, during a period when Christy believed she was still following DHS mandates for reunification.

Peters further claims in documentation that Badger and Christy both allowed Logan to have contact with Badger's second husband who Peters alleges "molested Christy." (Ronald Badger, to whom Katlynn is now married, is Katlynn's third husband.) Not true on both counts, say the two women. The man was neither accused or convicted of molestation, says Badger, who divorced him when Logan was only about six months old and both women say they had no contact with him after that. Later attempts by DHS to ascertain from Logan some indication that she had been sexually abused proved futile.

Regarding Peters' written contention that Katlynn "declined" individual therapy and participation in a "non-offenders group," Badger's response is succinct and harsh. "That's a damned lie."

Peters claimed she had "explained" to Badger that "by refusing these services, she would not be permitted to have contact with her grandchildren..." Peters wrote that Badger "said she was aware of this."

Badger said on the day she was contacted she explained she could not discuss the matter because she was on her way to an emergency dental appointment to have 10 teeth removed, that the week previous she'd been rushed to the hospital by ambulance with a serious gum infection and had been on medication to facilitate the surgery. She said she'd be willing to discuss arrangements for the appointment on a subsequent day but that DHS did not broach the subject again and Badger's follow-up call was never returned.

DHS denied Badger any contact with her granddaughters even though her relationship with them has consistently been portrayed as longstanding, close and without allegations of any type of abuse. She last visited with Logan the morning of March 7, 2000, shortly before the girls were taken into custody by DHS. When Logan died, Badger had not seen her for nearly 11 months. ➤



DHS denied Katlynn Badger, here pictured kneeling at Logan's grave site, any contact with her granddaughters.

photo: terrilyn simpson

Life Not Perfect

Christy was 18 when Logan was born, the result of a brief relationship with a man who she said was also young and initially ill-prepared to parent a child. Alone when she went into labor, she had to make several calls to find a friend to take her to the hospital.

In her call to her mother immediately following Logan's birth, she shouted into the phone, "Mom, I've got my beautiful girl — do you hear her — do you hear her?"

"She was so proud," said Badger.

Then life took on the solemnity of day-to-day survival. With too little money and too little formal education, she struggled constantly to find the right job, a decent place to live and a good relationship with a supportive partner. When she worked, she made minimum wage. When she got her own apartment, she didn't make enough money to pay the bills. But she never considered not having Logan and she never considered not keeping her.

In a small diner in Lewiston one morning after Logan's death, she pointed from her window seat to a square, gray apartment building. "That's where we lived the first time DHS took her," she said. "We came here for breakfast one morning a week. We played over there." She pointed to a public playground surrounded by a wire fence. She shook her head once as if she were flicking something unseen away and pressed her lips together hard so that they bowed down at the corners. It was an expression that emphasized the resemblance between her and the Logan of pictures — in photos of them taken at about the same age, it is difficult to distinguish one from the other.

Badger recalls receiving a call from Christy when Bailey was a baby and Logan was about three. Convulsed

with sobs, Christy hiccuped into the phone, "Mom, I had to discipline Logan and I don't like it." Badger laughed softly, her voice resonant with affectionate nostalgia. Logan had refused to pick up her toys, had yelled at her baby sister, had shouted at her mother and refused to follow any directions and Christy had told her she had to stand facing into the corner. Logan did so, burst into tears and apologized. "I sorry," she had said.

Badger asked if she could do something to help. "Just talk to me," Christy told her. The whole incident lasted for only several minutes, Badger said, "but it broke Christy's heart — she just couldn't stand to see Logan cry. She just didn't have to discipline her very often."

But Logan, save her initial reaction, was typically matter-of-fact in discussing the incident with her grandmother during the same phone call. "Mommy calls it naughty — I call it bad," she'd reflected.

"She was a feisty little girl and nothing seemed to bother her except being away from her mommy," said Badger. ➤

Badger Excluded

Badger is puzzled by DHS claims of the adverse effect she's had on her daughter's decision-making and bristles at Peters' innuendoes that she would not have adequately protected her granddaughters. A painful admission for her to make, given the horror provoking outcome of Logan's DHS custody, it was Badger who first called DHS.

It was when Christy was 18 and Logan was about six months old. With Logan's father little involved with Logan's daily life, Christy became involved with a young man who Badger describes as gentle and sweet but who, she soon discovered, had a substance abuse problem. Badger had been prescribed medication for anxiety and was appalled one day to find a pill on the floor near her handbag. She chastised herself, blaming her own care-

lessness but soon discovered that Christy's partner was taking some of the pills. Badger said he treated both Christy and Logan well but she became concerned that his drug problem and his prior incident of carelessness (she later suspected that he had dropped the pill when he'd taken some from her purse) was a dangerous combination around a baby just learning to crawl. "I was worried he'd drop another pill and and that Logan might find it."

She went to the young man's father looking for support for some type of intervention but found him unresponsive. She said Christy was concerned and had taken some peripheral steps of precaution but Badger did not feel Christy was sufficiently adamant in setting limits. So Badger called the Department of Human Services, thinking officials there would be better versed in how to approach the problem.

For the next two years Christy was answerable to DHS and in many ways, neither she nor her mother saw the accountability as negative. "I didn't call DHS because she was a bad mom, she was not a bad mom. She was a very good mom. But she was young," said Badger, "and I figured maybe they could help her in ways that I couldn't."

For Christy's partner, DHS mandated substance abuse therapy and for Christy, individual counseling, attendance at a "non-offenders" group, parenting classes and constant scrutiny. Christy says it helped her grow up emotionally and, as a result, to more closely bond with Logan. She began to understand if she wanted her daughter to have a different life she needed to change her own.

She was willing but when you're broke most of the time and answerable to the system for every detail of your life, willing doesn't always cut it and the system usually rules.

She told her partner to move out one night when she discovered he was using again and she left with Logan while he got his things together. When she returned, she said he'd strewn her and Logan's belongings helter skelter throughout the rooms. She reacted by filing a restraining order which she later had dropped. Although an attempt at reconciliation failed, Christy said he never missed Logan's birthday, never neglected to send her a Christmas gift, except for her final Christmas. When he called Christy after hearing the news of Logan's death, he'd sobbed into the phone that he still had Logan's present because he hadn't known where to send it. ➤

Records Counter Spin

Continued from page 6

after she said “*Logan Lynn Marr*,” Logan replied, “*Logan Lynn Schofield*.”

Christy said, “*Not Gofield. It’s Marr*. (Christy had not been allowed to know Sally Schofield’s last name.) *After returning girls...Christy was visibly upset. Said that someone had been telling girls things that they shouldn’t*. (Not until after Logan’s death did Christy realize, from news-reported statements from DHS officials that DHS was working with the Schofields to allow them to adopt Logan and Bailey even though the hearing on the motion for termination of Christy’s parental rights had not taken place.)

As for statements from DHS Commissioner Kevin Concannon and spokesman David Winslow dismissing Logan Marr’s complaints of abuse as unreliable because she had a history of making up “stories,” DHS has presented no evidence of this and DHS records suggest the opposite is more likely.

During a DHS-ordered evaluation of Logan when she was four, prior to her transfer to the Schofields, a counselor observed that “Logan was able to repeat the rules for answering questions appropriately and demonstrate an understanding of one of these rules. Logan was somewhat able to demonstrate resistance to suggestion. She was able to identify an untruthful statement that was made to her.”

In a concession to DHS, however, the interviewer noted that “Logan’s ability to demonstrate these capacities does not assure that she was telling the truth at all times during the interview.” This observation was perhaps prompted by Logan’s steadfast denial that she had ever been abused in any way while she was living with her mother.

The interviewer wrote: “During the interview, Logan denied that anybody had ever hit her. She denied that anybody had ever been mad at her or that she had been in trouble. Again, there is no historical information to suspect any physical abuse...” This information was in keeping with statements consistently made by Logan’s mother.

In summary the interviewer concluded, “As Logan is not identified on the basis of this interview as having experienced any form of abuse, no recommendations are made on that basis. However, it is recommended that Logan receive mental health treatment to cope with the separation from her biological mother...”

At an Easter visit with her girls months before Logan and Bailey were moved to the Schofields, as the visit was ending, Logan abruptly asked her mother, “*Mommy, are you sure you’re going to get me back?*”

According to the visit supervisor’s report, Christy replied, “*I’m not promising anything but I’m trying*. The last line of the report states simply, “*Hugs & kisses & I love yous*.”

It is not clear whether DHS caseworker Allison Peters ever reported Logan Marr’s complaints of abuse. Under the law, Peters is mandated to report even a suspicion of abuse. It is also not clear how stringently Peters’ work was supervised. (Christy estimated Peters to be only in her twenties.)

Contacted by phone and asked if she had reported Logan’s complaints, Peters said she was “not prepared to comment.” •

Subjective Judgements

Christy told no one the night she was raped. Her logic was indisputable. “Who would have believed me?” She said she never knew the identity of her assailant. DHS disputed the rape claim.

When she became pregnant, Christy considered an abortion and at a parenting class, told another participant. The woman asked her how she’d feel if Logan had been conceived that way. Christy said she thought about the question and she began to know that, regardless of the history, this baby was a part of her and a part of Logan and the rest didn’t matter.

DHS officials demanded to know the identity of the father. Christy disclosed the rape but admitted that just previous, she and her former partner had attempted to resume their relationship. (Christy said he agreed, following Bailey’s birth, to a paternity test which ruled him out as Bailey’s father.)

Christy’s DHS file is peppered with insinuating observations and contradictory information. On one document, Allison Peters lists one man as Bailey’s father, on another, a different man although in other observations, officials note that Christy “claims she was raped” (DHS wording). In yet another report, Peters writes that Christy’s stepmother claims Christy made up the rape and claims that another man is Bailey’s father. Christy says she never discussed the information with her stepmother.

What is not clear is why Peters was communicating so freely with Christy’s stepmother who, according to later revelations, was negotiating with Peters to gain custody of the girls even though she was married to and living with the man whose contact with Christy’s daughters had contributed to their being taken into DHS custody, based on Peters’ contention that he was a “convicted child molester” who never should have been allowed near them. It was not an isolated manipulation of contradictory information.

When Christy became pregnant with Bailey, although she was answerable to DHS for the most mundane details of her everyday life, she still had custody of Logan. But sometime early on in the pregnancy, Christy said, caseworker attitudes toward her became decidedly more negative. Allison Peters’ predecessor, caseworker Diane Sanborn, had been until then, Christy felt, for the most part tough but fair given the strain of the typically adversarial relationship between DHS and parents. But

suddenly, said Christy, an unsubstantiated report to DHS prompted the agency to alter course. Christy felt department employees also became increasingly judgmental of her because of the pregnancy. Christy was told that Logan was to be taken away from her.

Christy said she was given no opportunity to respond to an allegation that her stepfather, Katlynn Badger’s second husband from whom she was then estranged and later divorced, had visited her home. Both Badger and Christy claim the man had been abusive to Badger. At best, the relationship was erratic — the couple divorced and remarried several times. Christy said she’d encouraged her mother to end the marriage and that she wanted nothing to do with the man.

DHS claimed the man had been convicted of sexual abuse. Both Badger and Christy say the DHS claim is inaccurate but both agree the man was no one they wanted involved in Logan’s life. Christy said he never was, that his appearances near hers and her mother’s homes were intended to taunt the women, according to boasts he allegedly made to mutual acquaintances. Christy said DHS took a report of a sighting of him on her street as evidence that the man was visiting her and that no attempt was made by DHS to substantiate or discredit the report and that her denials were ignored.

In addition to the lack of substantiation, it’s not clear on what authority the caseworker was basing the mandate that any perceived association between Christy and her former stepfather would put Logan at risk. There appears to be no documentation, had Christy chosen to have contact with her former stepfather, that she would have been in violation of any legal restriction to do so. The unrivaled authority of DHS employees seemed, at best, founded on subjectivity and personalized judgments better suited to the gossip network of a neighborhood coffee klatch.

Christy was approximately six months pregnant in August of 1998 when told that Logan was to be taken. Panicked, she boarded a bus with Logan while she frantically tried to figure out where she could go to manage to keep her child with her. But when she called home from a pay phone she was told DHS was looking for her and threatening to file kidnapping charges if she didn’t return. With no safe place to run and little money, Christy reboarded a bus for Maine. ➤

Into the System

Back in Lewiston, exhausted and nearing her breaking point, Christy left Logan temporarily with a woman friend with whom the two had spent much time and went to a hospital where she was admitted for stress. Several days later, as she was being released, she again contacted DHS and Sanborn demanded to know where Logan was. Intimidated by the threats, Christy finally acquiesced.

Christy went from the hospital to her apartment to pick up some things and called her friend to say she

was on her way over to get Logan. “She told me I’d better be sitting down, that DHS had already been there and taken Logan.” The caseworker, accompanied by a police officer, had removed Logan while she was in the middle of lunch and transported her to a local hospital to have her examined.

Christy said when she called the hospital to see if Logan was there, the caseworker intercepted the call and told Christy if she stepped foot into the facility she’d be arrested for trespassing. From there Logan was handed

over to strangers. It was several more days before she was allowed a visit with her mother.

DHS went back to court to order Christy into a residential facility for unwed mothers. She spent the duration of her pregnancy at St. Andre's in Biddeford. Her schedule was comprised of parenting classes, relationship classes, counseling, attending adult education classes and time with Logan, who came for three daylong, unsupervised visits each week.

On December 8 of 1998 Bailey was born. Two days later Christy and her new baby moved into a three bedroom apartment in Auburn. DHS allowed Logan Christmas and then more and more home visits with her mother and baby sister but it was a mixed period for Christy who had to watch Logan, then only three years old, fight back tears each time she was driven away by an assortment of drivers from an agency which provided transportation for DHS. Logan would puzzle over why she had to leave when her baby sister got to stay, then struggle with her emotions as she told her mother that today, she would be brave, that today, she would not cry when she was taken away.

To exacerbate the situation, DHS caseworker Allison Peters had assumed oversight of Christy's case from Sanborn in the fall of 1998 while Christy was at St. Andre's. Peters' attitude has been described by both women as superior, dismissive and extremely heavy handed from the onset.

Badger remembered when Peters, shortly before assuming official oversight of the case, arrived at her home to transport Christy to St. Andre's and Christy tried to show her several items she'd bought for the baby, Peters abruptly let her know she didn't have time to waste looking at baby clothes. Later, after both girls had been taken into custody, for the Easter which would be Logan's last, Badger constructed baskets for both the girls, filled them with gifts, packed them neatly into a box and sent them to Peters to present to Logan and Bailey. Badger telephoned several days later and Peters said she'd received the packet but when she had heard nothing about the girls' reactions three months later, Badger again telephoned Peters who said the box was still by her desk, unopened. Peters, recalled Badger, said, "What's the rush — is there a bomb in there?" and then curtly told Badger that delivering Easter baskets to the girls from their grandparents "was not her first priority."

Peters would later come under fire, following Logan's death, for ignoring multiple complaints from both Logan and her mother that Logan was being abused in the foster home where she would eventually die.

Although Christy is not sure why, Logan, she remembers, never seemed comfortable interacting with Peters and would refuse to respond to her, often hiding behind her mother when Peters spoke to her. Both Christy and Badger remember Logan reacting differently with Sanborn to whom she would run, to touch and show things. While Sanborn had encouraged Badger's involvement with her granddaughter, Peters forbade contact. Badger alleges that when Logan and Bailey were both removed from Christy's custody the following year, Peters told her she might be able to arrange a visit for Badger with her granddaughters if Badger agreed to testify against her daughter.

Christy said she often called Peters every day to ask for more visits with Logan. There appeared to be little love lost between the two women. But Christy was following DHS directives and by March of 1999 Logan was being allowed to spend some weekends with her mother

and baby sister. Christy has committed all the momentous DHS dates to memory and recites them easily — the dates the girls were taken, the date on which Logan was finally returned home — March 24, 1999 — the court date on which the involvement of DHS and Allison Peters in Christy's life was initially terminated — June 3, 1999. Christy and her daughters were temporarily free from DHS scrutiny, or so Christy thought.

On April 28 of 1999 Christy had turned 22. In June of 1998, a year before Logan was returned, Christy and the infant Bailey had moved to Sabattus, to live with a man with whom Christy was having a relationship, and his young son, after gaining clearance from Peters. The relationship ended in August of 1999, a few months after Logan was allowed to return home, and Christy and her daughters moved to Guilford where they stayed with Christy's mother for a couple of days until Christy rented an apartment. This two-day visit with family was counted by Peters and DHS as one of the "moves" officials tallied and used against Christy, as were brief stays with friends and a vacation in Florida. Although Peters' records indicate she was aware that the one-week trip to Florida in June of 1999 was a vacation, she later counted it as another "move" when she presented her case against Christy to the court. The high number of "moves" became a mainstay of Peters' excuse for taking the girls away from their mother.

By August of 1999 Katlynn had married her current husband, Ronald Badger, and Christy had been intro-

singled out by the DHS system, her actions mattered less than DHS interpretations and highly subjective judgments of those actions.

Promises by Christy's father that he would help her learn to drive and obtain a driver's license never came to fruition. Her hope to improve her financial situation was unrealistic given her unchanging skill level. Hampered by the same lack of education which had plagued her in Maine, Christy once again worked minimum wage jobs which never quite covered the bills. She knew she needed to change her life — DHS had let her know with every criticism. What she had not figured out was where to begin or how to get the education she needed to access new opportunities.

There was also tension between Christy and her stepmother, a woman only a few years her senior, who Christy later discovered initiated contact with Peters in an attempt to gain custody of Christy's daughters.

And Logan was homesick — for her Nanny and for snow. When on two separate occasions Christy found that Logan had used her closet as a bathroom, Christy sat down to discuss her uncharacteristic behavior. Logan tearfully told her mother she just wanted to go back to Maine and make snow angels. Christy was ready. She used her last Florida paycheck to buy bus tickets and on February 15, 2000, Christy and her two young daughters returned to Maine. ➤



duced to his son, Paul. On November 4, 1999, Christy left with Logan and Bailey for the move to Florida mentioned earlier, when she and her daughters stayed with Christy's father and stepmother.

But the new start for which Christy appeared to have been searching in Florida did not materialize. Beyond an attempt to improve their financial situation, the move had been intended in part to remove her and her daughters from DHS scrutiny. She seemed to have begun to suspect, without actually knowing, that once she'd been

Christy poses by the entrance of a small, wooded play area in Dover-Foxcroft which Logan liked to visit. Walking through *The Forest of Dreams and Meadow of Enchantment*, which is inhabited by a series of whimsical wooden figures, Christy recounted in detail what Logan typically said and did at each spot.

photo: terrilyn simpson

Final Separation

With no money for a place of their own, Christy and the girls moved in temporarily with Christy's mother and stepfather, Katlynn and Ronald Badger. Logan was gleeful. Katlynn Badger still remembers the details of her first night back. Logan had just been bathed and dressed in her nightgown by her mother when she disappeared back into the bathroom. "She was in there quite awhile," laughed Badger, who was calling in to her when Logan flung the door wide and reemerged in her bathrobe. Shrieking with laughter, Logan, with her mother and grandmother trailing steps behind, raced through the mud room where she tossed off her robe to reveal not her nightgown but her swimsuit. Badger said in a split second she'd scooped up her bicycle helmet and pulled it on as she tugged open the front door, raced outside and dove headfirst into a bank of snow. Then just as quickly, she'd scuttled back inside to her astonished mother and grandmother and hugging herself had chattered, "Na-na-nanny, it's c-c-cold... c-c-can I have some hot chocolate?" She could have hot chocolate after a second hot bath, she was admonished. As she was ushered back into the bathroom she looked up at them with a satisfied grin. "Nanny, tomorrow we make snow angels..."

Although DHS involvement in Christy's life had been legally terminated nine months earlier, case building against her by DHS officials seemed to have continued in earnest utilizing ever more confusing methods and a startling reliance on third and fourth-hand information. Peters later included in her documentation a circuitous account of a dispute between Christy and her stepmother regarding some phone charges for calls Christy had allegedly made on her stepmother's credit card while she was in Florida. The report was attributed to Logan's first foster mother, a woman named Karen, who had reportedly gotten the information from Christy's stepmother who allegedly wanted Logan and Bailey given to her. Karen, the foster mother, had reportedly given the information to a DHS worker other than Peters who then conveyed the information, with no substantiation, to Peters. Although formal action over the alleged phone bill dispute was apparently not pursued, that fact seems to have been ignored by DHS officials in their zealous approach to compile damaging information against Christy.

It's not clear what the information had to do with Christy's parenting skills or why the ex-foster mother was pumping the stepmother for information and then relaying some version of it back to DHS, months after

the foster mother's involvement in the case had legally ended. Christy and Badger indicated shock after Logan's death to discover that Logan's ex-foster mother had been maintaining phone contact with them to gather information to report to DHS. There is a cautionary notation in Peter's records that Karen, the ex-foster mother, did not want Christy to know Karen was reporting details of her conversations with Christy to DHS, fearing if Christy found out she would stop speaking with her. Not surprisingly, Karen wanted Logan to again be placed in foster care with her, along with her little sister. It began to seem like everyone wanted Logan and her sister and that the only one not being considered as an option by DHS was Logan's and Bailey's real mother.

Christy said she had corresponded with Paul Badger while she was in Florida and when she returned to Maine, Paul, on disability compensation for knee injuries, was staying with Kat and Ron Badger in Dover-Foxcroft. He was good with the girls, said Christy, and the relationship progressed. The two were married on March 4, 2000.

The one-bedroom apartment was crowded but Ron and Katlynn were gone for much of the day as she accompanied him on numerous runs for the local taxi service for which he drove. In a subsidized complex, the apartment was relatively new, had recently been repainted and inspected and was located in a family-friendly setting. And it was seen by the four adults as a stopgap measure as they began to work toward something which would better meet their needs.

Christy and Paul waited for an apartment they'd looked at to become available and Katlynn and Ron had applied for a housing loan for a five-bedroom home in a rural setting in Dover-Foxcroft. If the house deal was approved, the two couples planned on sharing the property and had started making plans — two master bedrooms, a room for each of the girls with the spare being converted into a playroom, gardening... They'd even begun to explore home-based business opportunities.

Then, March 7, 2000 arrived and with no warning

Christy, seated in a swing at one of Logan's favorite play areas, says she often called DHS Caseworker Allison Peters every day to ask for more visits with Logan.

photo: terrilyn simpson

and no questions, DHS caseworker Allison Peters, accompanied by caseworker Julie Clark, swooped back into Christy's life and took her daughters. It is difficult to decipher Peters' reasons for doing so and more difficult to decipher Peters' ever-changing rationale following the removal. What did seem clear from the get go, however, was Peters' frantic determination to find reasons not to return the girls to their mother.

It is not known when DHS caseworker Sally Schofield became interested in gaining custody of the girls, allegedly as a preliminary step to adopting them.

In her petition to the court, Peters noted that Logan had been in DHS custody previously and that she had been returned to her mother following Christy's "adequate" participation in "extensive" services.

"However," wrote Peters, "it was not more than two months before the first report was received that Christy was returning to her previous unsafe lifestyle." Peters does not detail what was "unsafe" about Christy's lifestyle nor does she indicate that at least some of the reports seemed to be second and third-hand information, unsubstantiated, allegedly originating from casual conversations with Christy's stepmother, married to Christy's father, a man whose involvement Peters deemed so undesirable that she'd listed it elsewhere as reason for removing the girls from their family. It seemed as if the DHS caseworker was playing all the angles.

Following Logan's death, Christy was told that Peters had led her father and stepmother to believe she was considering their request to keep the girls. Peters was, at the very least, allowing the couple to maintain contact with foster parents regarding details of the girls' lives. This was after Peters had told the court she wanted the girls taken away from Christy for allowing them contact with Christy's father. Peters claimed the man was "an untreated sex offender," a claim she also made about Katlynn's second husband, claims that Christy and Katlynn Badger deny. Even the worst case scenario, which Christy and Badger both deny, only theorizes that the alleged offender stopped by Katlynn's apartment while Logan was present and not that Logan was left alone with him or that Logan was harmed or threatened in any way.

And try though they did, Peters and her many experts were not able to find any indicators that Logan had ever suffered any sexual abuse. Their attempts to get four-year-old Logan to substantiate their theorizing were surprisingly unsuccessful.

In her early records, Peters also attacks Ron Badger's character, sometimes without clearly referencing any source for her information. Finally, said Katlynn, Ron had enough of Peters' musings regarding the allegedly deviant behavior of his past "and he called her and told her if she kept running her mouth, he'd see her in court." Peters' accusations abruptly ceased and there is no indication she ever targeted Ron as a potential threat to either Logan or Bailey in court proceedings. In short, Ron Badger apparently called Peters' bluff and she moved on to more vulnerable targets.

Peters claimed that Christy had moved to Florida twice in one year although Peters' earlier records list one of

those “moves” merely as a one-week “stay” with her father — a vacation.

Peters listed Christy’s moves, referenced earlier in this article, as an indicator that Christy was unstable. But the number of moves seemed to fluctuate. In one document in September of 2000, Peters claimed that “Christy has allegedly moved 14 times in the last year.” In another entry, she said simply that Christy had moved “around 17 times.” Peters does not explain that she’s counting the one-week vacation, the three-day stay with her mother and every several-day stay with a friend or family member. She lists one move out of a place and then, into another, on the same date, as two separate moves. A review of the records makes it difficult to reach any conclusion other than that Peters misconstrued the truth where it suited her purposes. What is not clear is why removing the children from their family seemed to suit Peters’ purposes so well or who it was who eventually orchestrated the illegal placement of the girls with DHS caseworker Sally Schofield. In her testimony at the trial, Peters denied that the decision was hers.

Christy’s contact with her mother was referenced by Peters as another negative. Peters stated that a therapist had told her that when Christy had contact with her mother she made “bad decisions” and then erroneously claimed, as referenced earlier, that Katlynn Badger, who was then being treated by a therapist for agoraphobia, remained completely “untreated” for what Peters referred to as her mental health issues.

Peters claimed that Paul Badger “beat” Christy in front of Logan, a claim which Paul, Christy and Katlynn deny and which Peters’ records indicate she could not substantiate with the police. The police said they had no record of any such incident so Peters started calling around the state scouring police records for black marks in Paul’s juvenile record.

Although DHS claimed after Logan’s death that she and her sister had been taken from their mother because of substance abuse problems, there was no mention of the subject among Peters’ many contentions. A drug test based on a specimen Peters ordered Christy to hand over to her during a visit to Christy’s apartment, was deemed inconclusive.

And Christy’s final sin, according to Peters? She was living in an apartment that was too small. Christy was poor and Peters gave every indication of disapproving of her lifestyle based on some arbitrary standard of personalized judgment which seemed to have little basis in law. And DHS gave Peters the power to act. Peters made no claim that the girls were being abused or neglected although later invented histories sent therapists scrambling in vain for non-existent evidence. In her records, Peters refers to Christy as the “abuser” as she also does in referencing her contacts with Logan’s father. Peters uses the term “abuser” in categorizing each parent even though Christy had not actually been accused of abuse and Logan’s father had seemingly been

accused of nothing.

Peters had told the court that Christy could not be notified of the court hearing to take her children away from her — to be provided an opportunity to respond — because Peters theorized Christy might try to hurt the girls, that, even though she’d never been accused of hurting or abusing them at any other time. In fact, Christy had never been accused of ever raising a hand to either. Excluding Christy allowed Peters’ version of the facts to be presented unchallenged and there is no indication the judge asked for substantiation of Peters’ claims.

On March 7, 2000 four-year-old Logan Marr was awakened from her afternoon nap by Allison Peters and another DHS caseworker, Julie Clark. The occasion must have been a terrifying one for Logan, who even Peters described as listless and disoriented. Logan may



Maternal great-grandfather George Marr was not allowed to see Logan after she was taken into DHS custody. Katlynn Badger said her father’s health, already precarious, deteriorated after Logan’s death. He was allowed a single visit with Bailey before he died.

photo: courtesy of logan marr family

or may not have had some memory of Peters but for all practical purposes, the two women who were rushing to dress her and her baby sister and take them from their mother and their home quickly, before their grandmother returned, were virtual strangers. The women were accompanied by two police officers.

In the midst of her own panic, Christy reassured the girls, reminding them that they’d met Peters previously and telling them they’d be OK. Even Peters referred to her behavior as appropriate. Katlynn and Ronald Badger arrived after the girls had been placed in Peters’ van. They were allowed no goodbyes. Katlynn and Ronald were, in fact, prevented from even getting out of their own vehicle until after Peters had driven away with

Logan and Bailey.

Logan cried as Allison’s car pulled away from the small knot of people that was her family. Logan Marr’s nightmare had begun. Neither Katlynn nor Ronald Badger would ever see her alive again.

The girls were dropped several hours later at the home of strangers — their new family. Peters, the only person with whom the girls had any familiarity, left soon after. Bailey had to be rocked and held all night; she became hysterical each time she was laid in her crib. Logan slept on the couch surrounded by cushions.

There are indications from the records that Logan never recovered from the trauma of the second separation from her family. In one conversation, Logan told her foster mother that “cops” had come to her grandparents home and said they were taking them away “and Mommy cried,” then added that “Cops are bad.” Her

anxiety seemed little relieved by the attitude of her new foster mother, a woman named Mary Beth whose schedule revolved around the girls’ activities but who often exhibited an inability to acknowledge the depths of Logan’s despair and an unwillingness to even attempt to reassure the emotionally distraught four-year-old. Bailey, observed Mary Beth, threw tantrums, was very clingy and whiny and did not speak.

Intent on detailed record keeping, Mary Beth noted that Logan asked often about going home. Her accounts indicate that she (Mary Beth) prided herself on not buying into the four-year-old’s frantic intensity to be reunited with her mother.

In her observations of one morning, the foster mother recorded that “Usually we have a good morning together and the manipulations don’t start until later in the day...” But on this morning, Logan “started right off

with, ‘Do you think my Mommy will get me back?’ My pat answer is ‘I don’t know.’ She didn’t get a reaction from me so she escalated by talking loudly and nonstop about her mom right next to me. I tell her this will not work and to go into the other room that I need to finish what I’m doing...” Mary Beth outlines steps she will take, including getting more support and more respite, to allow her to have the patience to “ignore and correct” the little girl.

The foster mother’s notes indicate that the four-year-old was being offered no reassurance of going home to her mommy or even that anyone was working toward that goal. On another occasion, wrote Mary Beth, “Logan asked me if I thought her mommy was going to be able to take her home. I told her I didn’t know, that mommy had choices and needed to make the right decisions so they would have a safe home...”

Allison Peters wrote that the girls “appeared to become immediately comfortable” in their new foster home. ►

Backing the DHS Spin

Upon delivery of the children, Peters immediately briefed Mary Beth that the girls had been exposed to “several pedifiers,” a claim exaggerated beyond what even Peters would formally charge, and Peters directed Mary Beth to stay conscious of this alleged history in documenting the girls’ behaviors. The context of recorded observations suggest that nearly every negative reaction from the girls was attributed to their history with their mother as portrayed by DHS, with little or no acknowledgement of the trauma the girls were likely suffering as the result of DHS actions. The prevalent attitude seemed less one of “find the truth” than of “prove DHS right,” even if that meant reinterpreting or misconstruing events. The foster mother, among others, seemed anxious to comply with the DHS dictate.

At the end of a forced medical examination with which Logan seemed particularly uncomfortable, on the day following her placement with strangers, Mary Beth noted that Logan flinched when the doctor went to give her a “high five.”

“He (the doctor) asks for a high five as he raises his hand up she (Logan) flinches away and has a scared (the word scared is underlined) look on her face.”

Two days previous the sleeping four-year-old had been awakened by strangers — two antagonistic DHS workers and two armed police officers — and carried from her home, away from her mother and grandmother, placed in a strange vehicle, driven for miles to a strange house in a strange town and left with strangers and then the following day, forced to submit to a medical examination by a strange doctor who ends the session by raising his hand over her. Yet in the context of Mary Beth’s observations, Logan’s very understandable reaction seems like one of the DHS “gotcha moments” suggesting that the little girl was unexplainably afraid of men, or of being hit or of something as of then not yet discovered... DHS and the foster mother and DHS-paid professionals embarked upon a mission to prove the DHS premise that Christy was a trashy person not fit for the company of her own children. Though they lacked specific information then, Allison Peters and DHS had the power on their side to make the information fit the DHS

predisposition to keep Christy separated from her daughters.

If Logan had a difficult time, Mary Beth was quick to attribute the difficulty to visits with her mother, without specifics about the visit. When Logan sculpted playdough, Mary Beth described it as a “falic (phallic) symbol” which Logan told her “was Nanny and Grandpa stuck together.” Rather than explore that explanation (for instance, had Logan tried to sculpt the two figures and then perhaps with the frustration typical of a four-year-old, just glumped them together?), the foster mother quickly reached a conclusion more in keeping with the DHS line. Mary Beth described the clumsy sculpture interestingly as — not a hot dog with a hot dog bun but — “a penis with a hot dog bun.”

If Logan acted out, Mary Beth would threaten that if Logan didn’t stop misbehaving, Mary Beth would get her husband to deal with her and then note that “for some reason the child is scared of male figure disciplining her,” again seeming to infer that this sprang from something in Logan’s background and not from the foster mother’s very direct threat.

DHS mandated therapy for Logan and Mary Beth alleged that when the therapist began working on “secret touch,” Logan “started having nightmares.” In actuality, Mary Beth’s notes make mention of at least one bad dream and more than one instance of bedwetting which occurred soon after Logan was taken from her mother, in March of 2000, and placed in the foster home with Mary Beth and her husband.

Yet months later, in August, Mary Beth is suggesting that the nightmares are a new phenomenon prompted solely by the introduction of secret touch therapy, seeming to infer that Logan’s reactions in some way support the pre-conceived DHS premise of sexual abuse. Ignoring the prior unrest at night and failing to mention what else was being scrutinized during the therapy sessions suggested a ready compliance on the part of the foster mother to document what DHS wanted her to see.

Whatever aroused Logan’s night demons, at least one possessed an eerie premonitory quality. In Logan’s nightmare, she and her foster mother were being chased by ghosts. Mary Beth got away, but Logan wasn’t fast enough. The ghost touched Logan and “she turned into a ghost too,” the foster mother wrote after the terrified child related the dream. Was the nightmare some sort of horrible premonition or was Logan’s subconscious simply articulating the reality of her life as defined by DHS — a powerless child pursued by some force determined to get her, even if the child as a significant being is sacrificed in the process?

In the scheme of Maine DHS, Logan Marr had ceased to matter. Ignoring her frantic pleas to go home and her steadfast refusal to capitulate to the DHS quest for evidence that she had in fact been abused, both her DHS caseworker and her court-appointed guardian ad litem said that Logan had adjusted well to her placement. Five months after her telling night terror, Logan Marr would be dead. ➤

Logan cried as she was taken from her family by DHS caseworkers on March 7, 2000. Her grandmother and step grandfather, Katlynn and Ronald Badger, would never see her alive again.

photo: courtesy of logan marr family



Spurwink - A Tradition of Profitable Cooperation

In May of 2000, Logan was taken by her foster mother to the Spurwink Child Abuse Program in Portland for evaluation following a referral by Allison Peters. Spurwink Program Director Dr. Lawrence Ricci frequently appears as an expert witness for DHS. According to news articles, Ricci has boasted that he examines as many as 600 abused children per year. It is not known how many children Ricci examines who are not abused. Attorney Cliff Fuller, who represents Christy, recalled that when Ricci appeared in another case several years ago, Fuller asked how many times the doctor had testified in DHS cases and was told over 300. Fuller said that Ricci, in response to further questioning by Fuller, said he could not recall a single time he had testified on behalf of a parent.

The Spurwink Child Abuse Program reportedly receives more than \$1 million per month from the Department of Human Services.

In an October 2001 newspaper article, Ricci was quoted as saying he is hired by DHS to do medical evaluations of children who DHS alleges have been abused more than any other physician in Maine, suggesting that Ricci's income is heavily dependent on a continuing relationship with DHS. Maine DHS has a track record of discontinuing contractual services with evaluators who do not acquiesce to the claims of department officials. Though the policy may be unwritten, DHS officials have admitted at legislative hearings that they required parents targeted by DHS to use the services of therapists pre-approved by DHS, suggesting an obvious message to therapists vying for the very lucrative DHS contractual work — "if you want to get along, then go along."

Ironically, Ricci also heads the Maine Child Death and Serious Injury Review Panel — which has, without explanation, chosen not to review Logan Marr's death. Ricci refused to explain the lack of action by the panel, a specially created state entity charged with examining the deaths of children in Maine. Ricci also failed to disclose his own likely conflict of interest — his personal involvement, for payment from DHS, in Logan's case prior to her death while in DHS custody.

Given Ricci's lack of action, lack of disclosure and his own heavy financial dependence on Maine DHS, one might wonder how a potentially negative report on DHS procedures in the Logan Marr case would affect Ricci's relationship with one of his major benefactors. And if Ricci actually headed the investigation, as his role as panel chairperson mandates, would he disclose his own questionable role or simply hide behind the veil of DHS confidentiality and omit his own involvement?

With the initial contact with Spurwink, Logan's "history" took an interesting twist. Spurwink officials claim they were told by Allison Peters that concern of sexual



Guardian ad litem Lawrence Irwin, an attorney appointed by the court to advocate for Logan, said Logan had adjusted well to foster care. Here he rushes from cameras outside a Lewiston courthouse a few months after Logan's death.

photo: terrilyn simpson

abuse for Logan was based on Logan's exposure to convicted sex offenders and that this concern was based upon the premise, according to Peters, that "three of Ms. Baker's (Christy's) husbands have been sex offenders." The problem with this premise was that Logan's mother had not had three husbands. Christy had been married once, to a man who had never been accused of sexual abuse.

The Spurwink report continued, "Concerns of sexual abuse for Logan at that time were based on her exposure to convicted sex offenders." In short, the entire premise for Spurwink's foray into Logan's alleged sex abuse history was likely erroneous. DHS, with the aid of Spurwink, had expanded the witch hunt to justify Logan's removal from her family. Since Logan's mother was not allowed to share information or participate, the sole voice of reason in the process was that of Logan Marr. She was then four years old.

Based on the misinformation, Spurwink proceeded to interview four-year-old Logan in an attempt to find some evidence that could be used to support the DHS premise that she had been sexually abused — which would allow DHS to continue to refuse to reunite Logan with her mother. Then Spurwink went on to add another surprising allegation to Logan's record without indicating its origin. The Spurwink evaluator wrote, "There has been no exposure to known sex offenders in this current foster care placement, although there is history of exposure to known sex offenders in her prior placement in care." Without attributing this startling allegation to any informational source, the Spurwink official seemed to imply that Logan had been exposed to sex offenders in her previous foster care placement.

The Spurwink evaluation indicates that Logan's mother was not interviewed for information regarding Logan's history, even though her willingness to cooperate had been repeatedly demonstrated by her participation in multiple other counseling and evaluation sessions suggested by DHS. However, the foster mother was interviewed for background on Logan. The foster mother had known Logan for approximately two months and was being paid by DHS for participation in the process.

On a psychological test used by Spurwink to determine the likelihood that Logan had been abused, the

foster mother lacked so much information that the test could not be scored. Yet Spurwink determined "from the trend of the responses" it did receive that "some sexual behavior problems of significance" did exist. (Since this statement was not supported by Spurwink's lengthy evaluation of Logan, its inclusion seems more likely as a justification for Spurwink's ongoing involvement with Logan Marr.) Again, key information which Spurwink claimed to have received from the foster mother was erroneous — not surprising, since much of the background information on which Spurwink based its approach was third and fourth hand. In the Spurwink records, anecdotal suppositions from the foster mother are recorded as facts.

The Spurwink evaluator reiterates the claim that Paul Badger (Christy's first and only husband) was, according to the foster mother, Christy's third husband. The evaluator then suggests an incestuous overtone to the relationship. She first noted that Paul "is the son of (Christy's) mother's partner." Then, in case anyone didn't get it, the Spurwink report includes the parenthetical elaboration: "(He is Ms. Baker's step-brother.)" — thus painting Christy with the white trash persona needed by DHS to bolster its case against her. The Spurwink report does not mention that Christy and Paul met for the first time as adults — a detail which would have made their union acceptable in much more socially sophisticated circles.

Regarding the interview process, the Spurwink interviewer wrote that Logan agreed only to tell the truth, was able to demonstrate an understanding of the rules and to identify an untruthful statement. Nowhere in the report does the Spurwink official mention that any concern had ever been expressed by anyone that Logan was either untruthful or in any way prone to exaggeration. Yet following Logan's death less than a year later, DHS Commissioner Kevin Concannon, attempting to explain why DHS officials had ignored specific complaints from Logan that foster mother Sally Schofield was abusing her and younger sister Bailey, claimed that Logan was simply a child who exaggerated so much she wasn't worth listening to. Concannon's self-serving verbal maneuverings paled in the face of Logan's final, fatal truth. ➤

Evaluation Results Startling

With the basis of the three sex-abusing husbands — two of whom were fictitious — and neither eyewitness reports nor physical symptoms, the Spurwink interviewer next laid out the evidence against four-year-old Logan. “Ms Peters (DHS worker Allison Peters) reports that the sexual abuse concerns for Logan are based on her exposure to convicted sex offenders. She also questions whether Logan was exposed to pornography or sexual behavior as her mother and family have poor boundaries.”

According to the interviewer, further suspicion came from guardian ad litem Larry Irwin: “He reports that the sexual abuse concerns for Logan are based on exposure to a convicted sex-offender, Ms Barker’s (sic) ex-husband.” Spurwink did not indicate how Irwin knew this but it appeared likely that everyone was repeating misinformation from Allison Peters and that Spurwink was not making even superficial attempts at substantiation.

Spurwink included among the “concerning behaviors” of Logan Marr that she had once “kissed a boy in parochial pre-school,” that she sometimes grabbed herself during bathtime and that she had once grabbed her two-year-old sister’s bottom, that she forgot to use toilet paper and that Logan said someday she was going to marry an adult family friend named Joe who she liked to call her boyfriend.

It seemed from the report that the four-year-old’s patience was sometimes tried by the stupidity of the adults

around her, resulting in almost humorous exchanges. Asked if her mom and dad ever fought, Logan stated, “yes, already.” When asked to elaborate, she said she didn’t want to and asked if they were “almost done?” The interviewer pushed on, demanding to know how her mom and dad fought. Logan answered, “fight and talk.”

But how do they fight and talk the interviewer wanted to know.

“With those guys talking,” Logan explained.

But “how do they talk?” the Spurwink interviewer pressed.

Logan had apparently had enough.

“See, you’re talking with this,” she responded and pointed to her mouth.

At other points, Logan asked the interviewer why everything she said had to be written down and reminded her she’d already answered certain questions. Logan chastised the therapist for getting confused. “I already told you on the first page, didn’t I?” Logan demanded at the end of one session.

When pushed for information about her living situation, Logan said somebody had taken her away from her mother because her mother “didn’t do it right.”

What didn’t her mother do right, Logan was asked.

Logan said her mother didn’t take care of her right, “cause she gave me the wrong food.”

What was the wrong food?

Logan answered that her mother had given her “some apples and that’s not nice cause somebody could get sick.”

In all, Logan Marr was interviewed three times by the clinical social worker at the Spurwink Child Abuse Program. Her answers were clear and consistent and no amount of probing could make the four-and-a-half-year-old change them. Logan said she had never been hit. She said no one had ever touched her inappropriately, except for her two-year-old sister who had touched her “privates” once.

Asked if her mother had ever done something she didn’t like, Logan’s response is plainly recorded. “No, cause she’s my mom.”

In light of the ongoing refusal by Allison Peters and DHS to ever reunite Logan with her mother or any other family member, it is startling to read the conclusions of the Spurwink evaluation:

“During the interview, Logan denied that anybody had ever done something to her genitals or her buttocks. This is consistent with the fact that she has never made any abuse related statements. Therefore, there is no evidence in this evaluation that she has ever been sexually abused. During the interview, Logan denied that anybody had ever spanked her. She denied that anybody had ever been mad at her or that she had ever been in trouble. Again, there is no historical information to suspect any physical abuse. Therefore, there is no evidence within this evaluation to suggest that Logan was ever sexually abused.”

Suspicious that Logan had been abused, and her subsequent removal from her mother, seemed solely based on some nebulous feelings of Allison Peters, bolstered by the unchecked power of Maine DHS.

Against this hand that fed it, Spurwink would not take a stand. Spurwink experts may have been unable to find a shred of evidence that Logan had ever been abused while in her mother’s care, but the officials were not suggesting that the child be allowed to go home. In light of its finding, the final recommendation of the Spurwink report is both curious and unsettling: “As Logan is not identified on the basis of this interview as having experienced any form of abuse, no recommendations are made on that basis. However, it is recommended that Logan receive mental health treatment to cope with the separation from her biological mother...”

Spurwink determined that DHS should help Logan deal with the trauma of being taken away from her mother — by DHS. And DHS was more than willing to comply.

The abuse of Logan Marr had finally been identified.

The report was signed by the clinical social worker who had conducted the interview and Lawrence R. Ricci, M.D., Program Director of the Spurwink Child Abuse Program and chairperson of the state committee charged with investigating Logan’s death. Given his role, it is not surprising that Ricci later refused to explain the refusal of the state committee to conduct any investigation into Logan’s death.

In the meantime, Logan continued to struggle with her feelings on her own. She was not allowed to question her mother, who was under constant threat from DHS of having her visits terminated immediately for any breach of DHS protocol. This included any attempt to allay Logan’s fear regarding whether or not her



Asked if her mother had ever done something she didn’t like, Logan’s response is plainly recorded. “No, cause she’s my mom.”

photo: courtesy of logan marr family

mother was working toward trying to bring her home. In one note Mary Beth wrote that following a visit with her mother, Logan “was up and down emotionally. Said ‘something is going on at DHS’ and she doesn’t know what it is.”

The person charged with advocating for Logan was a Lewiston attorney — J. Lawrence Irwin — who was appointed by the court to serve as Logan’s guardian ad litem. His recommendation, that “Logan should be placed into the permanent custody of DHS” is synopsized in a report laden with unsubstantiated allegations, hearsay, speculation, guesswork and unattributed sources. For instance, Irwin writes that Christy “consistently made bad choices for herself and her daughter, Logan Marr” and gives as an example that Christy “was unable to break the connection with her mother... That connection had been described as unhealthy for Christy and, by extension, for Ms. Baker’s children as well.” Irwin does not say who said the connection was unhealthy nor does he say what was “unhealthy” about the “connection.” Such assertions seem typically to go unquestioned by decision makers in DHS cases.

Later in his report, Irwin talks about Christy moving in with her mother and her mother’s new husband who, Irwin suggests, should be allowed no contact with children because he has family members with problems, including a son who “is a convicted sexual perpetrator,” according to Irwin. The guardian ad litem does not elaborate on the specifics of the charges nor does he substantiate the information by referencing a source. Nor does Irwin clarify that the son did not grow up in the care of Christy’s new stepfather, that the adult son allegedly lived in another state and that neither Christy nor Logan had ever met the man. The opinion that “no one in the Badger family should have any contact with children” is attributed to a DHS caseworker although Irwin gives no information as to how the caseworker reached this conclusion. Nor does Irwin mention that the stepfather’s adult children — who were not only not involved in Christy’s and Logan’s lives but had little if any contact with their own father — had spent time in and out of foster care while they were growing up.

Irwin was also cited as a source by Spurwink officials that all “three” of Christy’s husbands had been sexual abusers when in fact Christy had one husband who had not been accused of sexual abuse. And although Irwin suggests by innuendo that Christy’s stepfather should be allowed no contact with children, he cites no accusation involving the stepfather. Irwin’s premise seems instead to be based on a guilty by reason of the guy having relatives who allegedly had problems presumption.

Ignoring the foster mother’s documentation about Logan’s unhappiness and discontent — her nightmares, outbursts and constant need for reassurance that she would be going back to her Mommy — Irwin cavalierly asserts, “As to the children (Logan and her sister) — they are doing well in their placement...” ➤

Never Happened With Mommy

Logan continued in the limbo of DHS custody, in the same foster home, for several more months following her evaluation at Spurwink, until an incident with her foster mother prompted DHS to once again take action. It was the incident which would initiate the placement of Logan in the care of Sally Schofield, a DHS worker who, according to reports, wanted some little girls of her own.

Several days after Logan’s expression of concern about “something going on” at DHS, things came to a head between the four-year-old and her foster mother. It was the day before Logan was to start school and the foster mother admitted in her notes that the upcoming event was likely triggering “high anxiety.”

On August 28 of 2000, according to the foster mother, “Logan and I had a shouting match and I threw her on the bed and held her down by her neck — as soon as I

saw my hand I stopped and threw her toys off the bed instead... the actual incident started with Logan being openly defiant in front of the neighbor refusing to put on her swimsuit to play with the hose and then ended with her not wanting to take off her wet suit to play inside. For the first half hour I ignored then I tried to make her stay in her room to distance us and then she wouldn’t let me be, kept following me around the house. Yelling ‘no’ at me, then I stomped up the stairs and it happened. During her tirade I yelled (but

not a yell, more like a mean voice through gritted teeth) ‘Do you want me to hit you?’ After the incident, I told her that ‘this is not how we are going to live, that Mary Beth doesn’t want all this crap’ and that it will not happen again.”

Irwin had described the foster home as a “warm, nurturing, loving home.”

While recording the sequence of events with candor, the foster mother seemed to blame the child almost totally with no acknowledgement that she was describ-

ing behavior fairly typical for a child Logan’s age. “We had had a full day shopping which I thought went well but in hindsight realize used up all patience. At times I was scared (when she would wander off) frustrated (when she was uncooperative) and embarrassed (when she tried to shoplift). I was proud of myself at the time because I used my new skills and thought we did well.”

Mary Beth recorded that following the incident she called for support from a woman named Julie (it’s not clear from the notes whether this is a friend or a DHS worker). “As I’m on the phone, Logan cries no she doesn’t want to leave...” As Julie is on her way over to the foster home to “talk” to Logan and Mary Beth, she sees Mary Beth’s husband and “fills him in on the goings on and I have two adult supports shortly after,” wrote Mary Beth.

But once again, Logan had no one. “While we were waiting she cries on my lap that she doesn’t want visits anymore she just wants to go home to Mommy’s, that this never happened between her and Mommy.” But none of the people being paid to protect Logan Marr were listening to her.

After the two adults arrived to support Mary Beth and “all was calmed down we tried to talk to Logan but it was too much for her. She didn’t want to talk — kept repeating back our words and ‘hmmm.’ ”

That evening Allison Peters, aware that Christy would likely hear a firsthand account from Logan at the end of her first school day the following afternoon, with another DHS worker paid an emergency visit to Christy’s home to inform her of the incident. Christy said she had one question — if that foster mother had pinned her four-year-old daughter down by the neck, why were the workers standing around talking about it while her daughter remained in the care of the same woman? Unprompted, Christy reiterated what Logan had said — that Logan had never been physically abused in her care.

When Christy met Logan the following day and came face to face with the foster mother, she recalled that she told Mary Beth she knew what had happened and to consider herself lucky that Logan and Bailey were present. Christy said she was informed soon after that her perceived threat against the foster mother, as reported by the foster mother to DHS, was yet another black mark against her.

Logan and Bailey were removed from the foster home of Mary Beth and her husband soon after and in September of 2000 sent to the home of Sally and Dean Schofield in Chelsea, Maine. Logan’s terrifying premonition was moving toward reality.

Another foster child was placed in the care of Mary Beth and her husband, bolstering an oft-articulated criticism that foster parents who cooperate with DHS are held to decidedly more lenient standards than biological parents. ➤



Logan cried that “she didn’t want visits anymore, she just wants to go home to Mommy’s...”

photo: courtesy of logan marr family

Schofield and DHS - A Self Serving Alliance

Christy said she tried to understand Sally Schofield’s refusal to meet her. Christy had had personal contact with both previous foster mothers but Schofield shunned any interaction, preventing Christy from even knowing what she looked like. As far as Christy knew, getting her children home still hinged heavily on her cooperation — she had no idea that the Schofields were already negotiating with DHS to adopt the girls, that according to reports after Logan’s death, the state had even approved the Schofields. Nor was Christy made aware that Schofield was a DHS employee and therefore legally ineligible to have the girls placed with her. Christy did not know until after Logan’s death in the Schofield home that DHS circumvented their own regulations to accommodate Schofield. And it was only after Logan’s death that Christy became aware, through media reports, that Allison Peters was exchanging chatty emails with Schofield — emails which sometimes contained an overtone of conspiratorial friendliness toward Schofield and a disparaging bias against Christy.

In the fall of 2000, shortly after the girls were sent to their new foster placement — Logan’s third, Bailey’s second — Christy wrote to the new foster mother. Even without Logan’s death the letter would have been heart-wrenching — the plea of a young mother who has lost all power over the fate of her own children, begging a stranger to take the time to know them and to care for them well. With the added knowledge of the condescending smirkiness regarding Christy in some of Allison Peters’ communiques, and the later dismissals by many officials of Logan’s pleas for help for herself and her baby sister, the tone and content of the letter is almost unbearable to fully grasp:

Dear Sally,
My name is Christy. I’m Logan and Bailey’s Mom. I’m writing this so you can know and understand my children. I thought I would let you know their likes and dislikes.
Logan — she likes butterflies, pizza (what kid doesn’t?), flavored noodles, pitted black olives (she likes to put them on her fingers), white cheese, grape soda, Babes in Toyland (her favorite movie), the Cartoon Author.

Logan’s dislikes — peas, fish sticks, going to bed early, not picking out her clothes.
Bailey’s likes — her brown teddy bear blanket (she takes it everywhere, including visits), dry cereal, pitted black olives, cheese, eggs, cooked carrots.
Bailey’s dislikes — having her poopie diaper changed (if you haven’t noticed), someone taking her pacifier, fish sticks, someone feeding her (she likes to do it herself).

Please ask Allison Peters what the kids are allergic to. I don’t blame you for not wanting me to know who you are, I will respect that.
Regardless of what you have heard or read, I love my little ladies with all my heart. I have **never** (triple underlined) hit, spanked or put my hands on my girls. I do respect my

“Regardless of what you have heard or read, I love my little ladies with all my heart” Christy wrote to Sally Schofield shortly after the girls were placed with the DHS employee. “I have never hit, spanked or put my hands on my girls... please don’t hit or hurt my children...” Here Christy holds a pine cone as she reminisces near a whimsical wooden sculpture of the Statue of Liberty at a play area Logan loved to visit with her mother. Christy said during each visit to the woodland park, Logan would run to the statue, find just the right pine cone and gleefully strike a Statue of Liberty stance, holding the cone aloft like a mock flame.

photo: terrilyn simpson

children. I’m not saying you would or wouldn’t **please** (triple underlined) don’t hit or hurt my children. The girls have already been through enough they don’t need the added stress in their life.
Every night I look up at the sky about 7:45 p.m. and say goodnight to my girls.
In closing I want to thank you for taking the time to read this. Please tell the girls before they go to bed I love them, and give them a big hug and kiss.

Thanks again!
Christy

When later, at a bail hearing, Sally Schofield’s lawyer read a portion of a letter to Schofield from Christy, thanking Schofield for caring for her children, he neglected to put the missive into any type of context — how heavyhanded Schofield had been in dictating to DHS what Christy be allowed to know. Nor did he mention how Christy had begged Schofield, in writing, never to hurt her daughters.
Christy, in the position of many parents whose children have been claimed by DHS, was stepping to the whims of what in a best case scenario can be described as the highly subjective DHS process. She was a mother trying to insure the safety of her children when she had been stripped of her parental power by a group of enti-

ties and individuals with varying agendas, none of them seeming to have anything to do with the welfare of her children. Christy was imploring Schofield to care well for her young daughters because a 20s-something social worker, backed by a system fueled by the number of children in its custody, seemed not to care much for her personality and had stripped the young mother of the opportunity to parent.
For Schofield’s lawyer to suggest at her bail hearing, after Schofield had been accused of causing Logan’s death, that Christy’s letter was evidence that Schofield was a reliable and responsible person is incomprehensible. Christy’s letter was a plea — not an insight into the life of Sally Schofield. Logan’s mother had never been allowed to meet Sally Schofield.
The placement of Logan and younger sister Bailey with Sally Schofield and her husband was another bizarre twist in the long, sad history of abuses suffered by the girls at the hands of the officials proclaiming to, and getting paid for, saving them. As Logan was having night horrors, wetting the bed and begging to be reunited with her mother, and her guardian ad litem and DHS officials were saying she was doing fine, and counselors were determining that Logan’s trauma stemmed from being taken from her mother, Logan was removed, with her sister, from a foster home where she was little understood and sometimes ill treated and given to a DHS

adoption caseworker who wanted two little girls of her own.

Sally Ann Schofield, then 39 years old and the mother of two sons, was employed as an adoption caseworker by the Maine Department of Human Services until November 30, 2000. That was nearly three months after Logan and Bailey were placed with Sally and her husband, Dean. Placing foster children with a department employee was a breach of DHS regulations intended to avoid a conflict, or appearance of a conflict, of interest. The rule was further intended — and this is especially significant — to avoid the potential for partiality by disallowing situations where DHS employees would be supervising, and perhaps showing favoritism to, colleagues who were also being paid as foster parents.

Testifying before a state legislative panel allegedly investigating DHS abuses, the parent of another child taken by DHS accused the Maine agency of treating children like a cash crop.

The relationship between Sally Schofield and Allison Peters was a case in point, with tragic and irreversible results. Still DHS officials shrugged off responsibility with Karen Westburg, director of Child and Family Services, sidestepping responsibility for violating DHS rules with the Schofield placement by claiming the judge and the lawyer made her do it. Westburg was quoted in a news report as purporting that when she became aware of the situation she considered moving the girls to another location but that District Court Judge John B. Belliveau, who oversaw the case, and guardian ad litem and Lewiston attorney Lawrence Irwin, pressured her into making an exception. The judge is quoted in news coverage following Logan's death as denying involvement or power in placement decisions while Irwin refused to say anything.

And while Westburg said she felt concern about the placement, her actions suggest otherwise. There are many indications that officials above Peters were paying little attention to what was going on in the Marr case following Westburg's alleged consternation regarding Logan's and Bailey's placement with the Schofields.

While DHS and Schofield seemed bent on seeing that the girls never went home to their mother, Christy continued to operate under the illusion that she was moving toward reunification. That plan included weekly visits with her daughters, all heavily monitored in spite of the fact Christy had never been accused of actually abusing the girls, and participation in parenting classes, counseling and attendance at a "non-offenders" group. She was also working toward obtaining her GED (high school equivalency degree).

DHS caseworker Allison Peters seemed to see the joke in that. While Peters was making sweeping allowances for Schofield's many breaches in schedule, she was sending a series of conspiratorial toned emails to (but apparently not physically visiting, as was legally mandated) foster mother and former fellow DHS caseworker Schofield. Peters, subpoenaed by Schofield's lawyer as a witness for the defense during the murder/manslaughter trial of Sally Schofield, said she had visited the Schofield home three times in September, the month the girls were placed there. Peters has come under fire, however, for not making the required follow-up visits.

Even Commissioner Kevin Concannon, not given to defending parents targeted by his agency, was quoted as saying that he was bothered by the emails, that Peters' tone "was not very respectful of the biological mother." The emails received media coverage after Logan's death when they were submitted to the court

by Schofield's lawyer to emphasize during the bail debate how much DHS respected Sally Schofield.

In an email on December 14, 2000, Peters thanked Schofield for "being so genuinely invested in Logan and Bailey, for clearly loving them..." Since Peters was not seeing Schofield with the girls, it's not clear how she reached this conclusion.

On the same date, she asked Schofield to talk with Christy's stepmother on the phone to let her know how the girls were. Again, the stepmother was married to and living with Christy's father and it was in part Christy's visit to them in Florida on which Peters based her removal of the girls from their mother. Christy said the stepmother told her after Logan's death that she and her husband were discussing with Peters the possibility of adopting the girls. In her email to Schofield, Peters asked her to "let her know how the girls are..." in hopes that this would make the stepmother "back off." It seemed Peters was manipulating more than one situation.

In a January 8, 2001 email Peters told Schofield, "Christy is still up to her old tricks so she continues to make a TPR (termination of parental rights) easier and easier to get." On the same date she thanked Schofield for all the updates on the girls and said she felt "like there isn't a thing I don't know about them..." and that she loved hearing about them. Astoundingly, by that date Logan had already reported that Schofield was abusing her and her younger sister and Peters had allegedly not only failed to investigate the complaint, but had also skipped her DHS-required quarterly visit to the Schofield household.

Peters was apparently also choosing to overlook Schofield's increasingly erratic behavior. In a random sampling of visits scheduled between Christy and her daughters during the brief period when the girls were with the Schofields, the foster mother presented an assortment of excuses for delivering the girls to the visiting center late or sometimes, not at all. Once again, no one seemed to question a track record with the foster mother which likely, given typical DHS treatment would have earned serious black marks for a biological parent and which at the very least should have raised warning flags regarding Schofield's dependability.

One former DHS caseworker who said she was fired for refusing to give false information against a biological mother in a TPR (termination of parental rights) hearing, said at the extreme least, she would have been making unscheduled visits to the Schofield home to attempt to understand the dynamics contributing to Schofield's scheduling difficulties. The contentions of the former caseworker, who asked not to be identified, underscore a departmental win/lose attitude with DHS (of which Sally Schofield was a time-honored member) against parents regardless of the truth or the cost to the child and family.

The slapdash set of quasi justifications offered by Schofield — which bordered on the dog-ate-my-homework brand of veracity in regard to their strength and frequency, except that here one was dealing with the safe delivery of two young children and a supposedly dependable and mature deliverer — began almost immediately after the children were placed with Schofield by DHS.

For instance, on September 22, 2000, Schofield delivered the girls late because she'd gotten mixed up about the time. This was shortly after the girls had been placed illegally in Schofield's unlicensed foster home and if it was not the first visit with their mother after the new

placement, it was certainly one of the first. A couple of weeks later, on October 5, Schofield again delivered the girls late for a visit with their mom and if Schofield bothered to give any reason, none was listed. And the very next day, on October 6, Schofield was again late, this time because, she said, she'd overslept. The following month, on November 27, Schofield canceled the visit because she said the girls were sick, then three days later, on November 30, Schofield again delivered the girls late to their waiting mother. And once again, if Schofield bothered to make excuses for herself, none were noted on the visit center form.

Less than a week later, on December 4, Schofield again arrived late with the girls; this time, she blamed the children who she said "were not cooperative." Three days later, on December 7, Schofield blamed Logan who she said made her late because the four-year-old "had had a meltdown." This was less than two months before Logan was to die in Schofield's care.

The following week, on December 14, Schofield canceled the visit altogether because she said her road in Chelsea "was not plowed." It was on this date that Allison Peters sent the "thank you for being so genuinely invested in Logan and Bailey" email to Sally Schofield. By then, Schofield had, in less than three months, delivered the girls late to six scheduled visits with their mother and canceled two visits altogether.

Ironically, Schofield lived only one town away from the Augusta-based visiting center, less than a 30-minute drive. Christy, who was not late, had to travel approximately two and a half hours one way.

The same month the girls began their seesaw schedule with Sally Schofield, Christy was blasted by a DHS-hired counselor who had prophetically informed Christy "that her right to her daughters were in serious jeopardy (as written by the counselor — the letter from the counselor to DHS is filled with similar grammatical errors)..." After Christy had reportedly missed several counseling appointments because of transportation problems, the counselor categorized her progress as "slow at best." (A driver for an agency which provides contractual transportation services for DHS clients said it was not unusual for DHS caseworkers to schedule appointments for clients, fail to inform the clients and then document a client's "failure to show" in her case file.)

In the same document, the counselor launched into a judgmental tirade suggesting her own unwillingness to even consider the poverty-tainted realities of the clients the state was paying her to treat. For instance, the counselor seemed completely stymied by the concept that Christy couldn't readily follow her instructions to go right out and get her driver's license because she had no car and since most of her friends did not have cars either, there was no car for her to borrow to learn to drive. Since Christy was having trouble coming up with enough money to pay rent, it's reasonable to assume that she could not rush out and enroll in a driver's education course. She had no high school diploma and no job and she was desperately attempting to maintain a schedule of visits with her young daughters. The counselor criticized Christy for getting depressed when she was cut off from seeing her daughters. "She fell sick," writes the counselor, "not leaving her apartment or calling me for help." Given the counselor's attitude, it's difficult to grasp just what kind of "help" she was offering the young mother. Perhaps the most telling statement of the report was the counselor's own smug conclusion: "I confront her — I don't understand her life..." ➤

Evidence Ignored

On December 18, 2000, Logan told her mother during a scheduled visit that Sally Schofield was hurting her and her younger sister. The conversation was made in the presence of a visiting center supervisor who clearly understood what Logan said as evidenced by a video made by Christy who was celebrating Christmas early with her daughters. The supervisor asked Logan a question regarding her statement that Schofield was hurting her, and then wrote something on a notepad she was holding on her lap.

Christy was not permitted to pursue the conversation with Logan under threat of having that visit, and potentially all future visits, terminated for breaching the DHS-determined protocol. But both Christy and the girls' grandmother, Katlynn Badger, who later viewed the video, said they reported the abuse to Allison Peters. The visiting supervisor also typically submitted detailed reports of each visit to DHS.

According to a DHS official who asked not to be named, the visiting supervisor is mandated, as is a caseworker such as Peters, to immediately act upon a report of abuse.

But Peters apparently did nothing. Six weeks later Logan Marr would be dead.

Not only did Peters allegedly not investigate the report of abuse, as mandated, and apparently did not look into Schofield's obvious inability to maintain the schedule set by DHS, Peters didn't make the quarterly inspection of the foster home as required by law. And immediately following Logan's complaint of abuse, Peters reportedly allowed Schofield to take the girls away to spend Christmas with other Schofield family members. Christy had been told that the girls were being taken to Canada for the holidays and that, to accommodate Schofield's plans, if she wanted a Christmas celebration with her daughters, she'd have to hold it early. Details provided during the trial of Sally Schofield for Logan's death suggested, however, that the Canada scenario was untrue.

DHS's Karen Westburg, who would later claim much concern over the girls' initial placement with Schofield, apparently just let the two women — Allison Peters and Sally Schofield — continue to make up their own rules, unchecked. The terrifying DHS game was rapidly nearing its horrible conclusion.

Lack of action did not, however, suggest lack of information.

Kathleen Madore was Logan's individual therapist from April of 2000, shortly after she was taken from her mother, to October 19 of the same year, approximately a month and a half after she was placed with the Schofields. Again, Allison Peters told the counselor that Logan had been removed from her mother for abuse

and neglect though the specifics of Peters' accusations seem vague. Called as a witness for the prosecution in the Schofield trial, Madore's testimony reflected the immediate concerns she'd had regarding Sally Schofield's attitude toward Logan, with Schofield's adamant that Logan address her immediately as "mommy" even though she was still spending time with her own mother and just days previous had been removed from the care of another foster mother. "Tell her this about you and Mommy, tell her that about you and Mommy," Schofield would direct Logan in front of the counselor who was so unsettled by Schofield's "mommy" insistence that she called DHS. Officials there told her not to worry, it was fine...

Equally disquieting was Schofield's need to control Logan, to completely disallow all expressions of anger from the five-year-old. Madore told her Logan needed to be able to vent — that she had been through a lot. Schofield responded that Logan needed to learn how to use her "inside voice." A former DHS supervisor of Sally Schofield's would testify during the trial that Schofield could not tolerate being wrong.

Madore testified that while previous foster mother Mary Beth had been more gentle with Logan and allowed her to lead the way, Sally Schofield was much more directive. "She said she was extremely structured — that it was her style and it seemed to work well." The purpose of Madore's treatment, she testified, was to help Logan "transition" from one foster home to the next. She noted a difference in how Logan reacted to the foster mothers. With Mary Beth she was "very clingy." With Schofield, from whom Logan "took instruction," she was "very matter-of-fact."

On October 5 Schofield called Madore to give her an update: Logan was acting out; Logan had wet the bed; Logan had reported that her mom had bought a puppy. "Logan was unhappy in general." In a subsequent phone call the two discussed the "great difficulty" Logan was having in "transitioning from her visits with her mom." A number of parents whose children have been taken by Maine DHS, including Christy, have stated that Maine DHS officials often threaten to terminate visits between parents and their children, regardless of court orders to the contrary, if the children seem to be having a difficult time or exhibiting anxiety during or after the visits.

When Allison Peters, who had access to therapy information about Logan, emailed Sally Schofield subsequent to Logan's therapy sessions with Kathleen Madore, to thank Schofield for loving and being so invested in Logan, there is no indication that she in any way questioned Schofield's harsh attitude toward her foster child or why Logan was becoming increasingly

unhappy. Even a photo of Logan taken during this period shows a pinched, haggard look, her eyes dull and listless.

Schofield told Madore that "Logan was trying to get even," and that Logan was "purposely" trying to "disrupt" the Schofield family, that it was "intentional." Madore said she told Schofield that she didn't know if Logan was trying to be "intentional." Logan Marr was just turning five years old.

Logan's birthday was on October 14 and for their birthday visit together, Christy brought Logan a bunny cake. Madore testified that Logan was "very sad to leave her mom" at the end of that visit. When Sally Schofield told a babysitter, who testified during the murder trial, that Logan did not want any more visits with her mother, Schofield was likely telling the truth. As Logan had told Mary Beth, she didn't want to "visit" with her mother anymore — she just wanted to go home.

Schofield demanded to be in the room with Logan during her individual counseling sessions with Madore, "to be part of the sessions." Madore testified she "let her know it was not OK," and emphasized that these were Logan's "individual" counseling sessions.

Madore, it seemed, had now transgressed several times on Sally Schofield's inability to be wrong, questioning her strident disciplinary approach toward Logan, questioning Schofield's perception that Logan was deliberately disrupting the Schofield family to somehow, as Schofield phrased it, "get even," and expressing discomfort at the foster mother's obsessive need to be instantly and constantly addressed as "mommy." Soon after Madore refused to acquiesce to Schofield's demand that Logan not be left alone with the counselor anymore, Schofield informed Madore she was ending the sessions. She said the drive was too long and anyway, Logan "didn't want to see her anymore."

"I suggested," testified Madore, "because the session was over I wanted to talk to Logan the following session." But Schofield was having none of it and "insisted we do it that day." So Madore brought Logan back into the room "and told her that she was going to have a new counselor. Logan burst into tears." Logan said she didn't want a new counselor. Madore said Schofield "got very angry" at Logan, who had not yet turned five, and insisted, "'You know you said that.'" Schofield was scheduled to bring Logan to one more counseling session so that Logan could get her artwork and say goodbye; Schofield never showed. Madore saw Logan for the last time on October 19, 2000.

It's not clear whether Schofield was clearing anything with Allison Peters, who was supposed to be overseeing Logan's care, or where guardian ad litem Lawrence Irwin, who was being paid to advocate for Logan, was in the process. Madore did not indicate during her testimony whether she reported any additional concerns about Sally Schofield to DHS beyond the initial "mommy" issue. Nor is it clear why none of the adults hired by DHS to help Logan Marr were noting the obvious warning signs being exhibited by Sally Schofield in her interactions with the five-year-old. Instead, DHS caseworker Allison Peters was heaping praise on Logan's increasingly abusive caregiver.

During her testimony, Madore described Logan as "highly parentified," a clinical term ascribed to a child who assumes an adult, take-charge role. During the trial, she admitted to Schofield's lawyer, Jed Davis, that Logan was the "most parentified" child she'd ever met.

"Is it true that a parentified child is often bossy and defiant?" demanded Davis. Again Madore responded



yes. She also noted that Logan “was extremely protective of her little sister.”

Madore did not indicate whether she had an opinion as to what factors in Logan’s background had contributed to her becoming so “parentified.” Was it from living with her mother or had her abrupt removals from her mother, to become an instant family member in the homes of three sets of strangers by the time she was four, contributed to Logan’s premature “adulthood?” Was Logan overly protective of her little sister, as Madore suggested, or did Bailey’s big sister simply step in to fill the gap when the officials who were supposed to be responsible ignored her or told her she was wrong and her own mother was threatened and reprimanded for trying to protect her?

Peters had told Madore that Logan had been removed from her mother’s home “due to abuse and neglect,” though again there’s little indication that Peters is asked for or gives specifics. Madore noted that among the themes of Logan’s play in an early session was, “Someone took me away but I don’t know why.” It was Madore who determined that Logan needed ongoing therapy. After several counseling sessions with Logan, Madore recommended “a longterm placement so she can begin to trust people enough to express her feelings.” Madore further opined that “ongoing counseling will also help to create a routine of stability. This will take time.” Consequently Logan was sent to Madore for individual therapy for over four months, until Sally Schofield terminated Logan’s therapy with Madore. In all, Madore said she saw Logan for a total of 16 sessions. In addition, Madore met with the previous foster mother, Mary Beth, and her husband for a number of sessions.

Once again, it did not seem to enter the realm of possibility for the DHS-hired therapist that what Logan desperately wanted and likely needed was to return home, away from the weirdness and anger of her hired caregivers. And again, Logan was being evaluated by a therapist whose livelihood was likely heavily dependent

on DHS money. In addition to the “assessment and counseling” service Madore and her husband run together, the couple have a residential facility with 12 DHS-funded slots for children ages eight to 15.

Although a point of Sally Schofield’s defense during her trial for the murder of Logan Marr was the difficulty in dealing with Logan’s intense behavioral issues, as defined by Schofield, Logan’s “issues” in the Schofield home had a plus side for her new foster parents. Sally Schofield applied to DHS, and was granted, an upgraded status for dealing with a difficult foster child, increasing the money she was receiving for Logan to three times the normal rate. In other words, to some extent, the worse Logan acted, the more profitable it was for her new foster mother who had given up her longtime job with DHS several months after Logan and her sister had come to live with her.

In tapes of interviews of Sally Schofield by Maine State Police Detective William Harwood, played during the trial, Schofield speaks of Logan’s disruptive influence in the household, of her “meltdowns.” Although relatives who helped care for Logan described a child away from Sally Schofield who was precocious but happy and overall cooperative, Schofield was insistent that Logan was extraordinarily difficult and that the girl needed to be made to comply with Sally’s rules. The weekday babysitter testified that Schofield told Logan that “‘Mommies are always right; mommies are right even when mommies are wrong.’” She said that Schofield said that while she could be cuddly with Bailey, with Logan, she needed to be a drill sergeant.

After ending Logan’s contact with therapist Kathleen Madore, Schofield turned to Vassalboro counselor Jennifer Jones, who noted that Sally Schofield referred five-year-old Logan in November of 2000 “to address oppositional behavior and attachment issues... Ms. Schofield stated that she was eager to get Logan some help...” It’s not clear whether the new therapist, whose practice was closer to the Augusta area where Schofield had worked

On December 18, 2000 Logan told her mother during a DHS supervised visit that Sally Schofield was hurting her but Christy was not permitted to pursue the conversation.

photo: courtesy of logan marr family

for many years as a DHS caseworker, knew Schofield prior to speaking with her regarding Logan. Her report does suggest that she likely was less challenging of Schofield’s methods than Madore.

Jones notes that Schofield was her only source for Logan’s history. It’s not clear at this point why the therapist was not getting information from the previous therapist or even from caseworker Allison Peters, or even at what level Peters was maintaining involvement with the care of Logan Marr. It’s also unclear throughout why Logan’s mother, Christy, who had a track record for participating in whatever activity DHS deemed necessary, was not consulted for information by therapists.

At this point Logan’s history is once again embellished with Schofield anxious to blame Logan’s problems on her history with her mother and previous foster mother, Mary Beth, as portrayed by Schofield, while painting herself as Logan’s savior. “They came to me for the weekend,” Schofield told Jones of Logan and Bailey, “and they never left.”

The incident with Mary Beth, though arguably a lapse in judgment and control, became more sinister in Schofield’s version. Instead of Mary Beth losing patience and throwing Logan down on her bed and then quickly releasing her when she realized she had her hand on her neck, Schofield, according to Jones, described the previous foster mother as pinning Logan against a wall by her throat while shaking her.

There had been an incident in Logan’s history with her mother, which Christy had disclosed, in which, while Christy and Logan were visiting a friend, Logan and the friend’s children had gotten into the refrigerator where there were two different types of Jello, one of which contained alcohol, typically known as Jello shots, or in Schofield’s description, “Jello shooters.” (A version of this is marketed containing champagne.) Christy said she became quickly aware that Logan had mistakenly eaten a “Jello shot,” instead of the plain jello, that Logan had thrown up and was fine after. Christy, upset that the incident took place at all, later talked about the occurrence. In Schofield’s version, Logan had to be rushed to the emergency room. (This is ostensibly the incident referred to by DHS Commissioner Kevin Concannon after Logan’s death in which he attempted to justify the state’s failure to investigate reports of Schofield’s abuse of Logan by countering that Logan had, in his mind, nearly died in her mother’s home. Concannon’s logic here is not easy to track.)

Schofield lobbed additional accusations at Christy, to whom she had never spoken, apparently stating authoritatively, as suggested by the Jones account, that Logan had witnessed sexual relations in her home in addition to domestic violence. The claims were not among the reasons listed by Peters for removing the girls or for potentially terminating Christy’s parental rights. And by this time the Spurwink evaluation had determined there was no evidence that Logan had been subjected to either sexual or physical abuse.

Jones seemed to depend heavily on Schofield for determining Logan’s problems and noted that “Ms. Schofield observes Logan to be highly parentified.” Jones substantiated this by stating that “Logan often tried to

do housework and was preoccupied with the protection of both her younger sister and the Schofield infant...” Ironically, the possibility that there was a need for “protection” in the Schofield home did not seem to occur to the counselor. Jones did note that interacting with her foster mother was problematic for the five-year-old. Although “Logan demonstrated a good capacity to engage in therapy...” Jones observed that “Logan’s need for control was most notable” during interactions “with her foster mother.”

Schofield talked about Logan “intentionally” antagonizing, hating time-outs, crying and screaming, suffering anxiety at night, nightmares, “meltdowns” which sometimes occurred in the middle of the night and episodes of disassociation in which she “looks like a deer in the headlights.” Schofield noted that “Logan appears escalated after visits with her mother.”

Nearly lost in the midst of Jones’ report is a haunting acknowledgement: “Ms. Schofield reports on her second visit to my office that Logan was highly escalated on New Year’s Eve and they had her scream in the basement in a high chair.”

Jones makes no comment about this awful admission. She notes nothing inappropriate about leaving a five-year-old to “scream in the basement in a high chair” as punishment. Even Allison Peters, during her trial testimony, emphasized that Logan was too large to be placed in a high chair safely. Period. In addition, federal DHS regulations prohibit the use of isolation to discipline foster children.

The New Year’s Eve incident was one month before Logan’s death in a high chair in Schofield’s basement. According to her report, it seems likely Jones was made aware during a January 16 evaluation session of Logan’s banishment to the basement. This was two weeks prior to Logan’s death. Although therapists are mandated to immediately report suspicions of abuse, it is not clear whether she did so.

Jones seemed eager to follow Sally Schofield’s lead. She concluded the report by observing that Logan’s “highly parentified behaviors” suggest “inconsistent parenting as well as neglect and unrealistic expectations by a primary caregiver.” Jones continued, “Logan appears to have an insecure attachment to primary caregivers evidenced by her inability to seek and accept comfort when in distress, excessive comfort with strangers (Logan’s discomfort with strangers had been criticized in a previous placement), and excessive control issues.” And although Spurwink had, after extensive evaluation, seemingly already ruled out sexual abuse, Jones was willing to entertain the possibility. “I do not have conclusive evidence of sexual abuse. However,” opined Jones, Logan’s “presentation and behaviors suggest this possibility.”

At this point, Logan Marr had been in three foster homes, had already suffered some form of abuse in at least two, had been evaluated by numerous experts who all seemed to ignore the telling conclusions of those previous and none of whom seemed interested in Logan’s insistence that her mother had never hurt her and that she just wanted to go home. Logan’s own reports of the abuse being suffered by her and her sister were being ignored by the officials who had taken charge of her life, as were the attempts of her mother to get someone to listen. And the foster mother who she’d been accusing of abuse was now chattily explaining to another expert being paid to help that when Logan had a particularly tough time, they’d just put her in the basement. For Logan Marr, time was running out. ➤

Logan’s Last Day

It snowed on the day that Sally Schofield killed Logan Marr.

And it was the snow that prompted Logan to tell Sally the story that the foster mother would blame for the chain of events that cost Logan her life.

The foster mother began the day getting angry at the five-year-old for telling the fib, a story typical of a mischievous and imaginative five-year-old, a story that would likely have brought smiles and some amused head shaking from most adults — but not from Sally Schofield. The much-touted DHS worker turned model foster mother, according to kudos from Logan’s caseworker, had, by all accounts, made it her mission to force Logan into submission, to break her willful spirit.

According to the Schofields’ accounts to Maine State Police officials, Sally’s husband Dean Schofield would get Logan up early, at 5:30 or 6 each morning, and leave her alone on the sofa while Dean got ready for work and Sally remained in bed. On the morning of January 31, 2001, as on other mornings, Dean was gone when Sally got out of bed and Logan told the foster mother that Dean had said there was no school because of the snow. Sally saw no humor in the story and after disproving Logan’s claim by calling Dean at work, Sally told Logan she’d be punished later, after school. Logan was sent off to kindergarten; Sally, after instructing the babysitter in how Logan was to be disciplined, went to work.

Sally was big on discipline, at least for Logan, and for her, Logan never seemed to get enough. And Sally had a theory about how time out should be served by the five-year-old, a rate not unlike the inflated foster care payments she exacted for Logan’s care. Just as Logan’s increasingly rebellious behavior, as documented by Schofield, had netted Schofield marked increases in her payments from DHS, Logan’s escalating responses to the foster mother’s harsh demands must have bolstered Schofield’s sense of over-entitlement. As Schofield had pointed out to her supervisor in response to the mandated training to become Logan’s and Bailey’s pre-adoptive foster mother, it was not her fault she knew more than everyone else, including the trainer. Challenged by Logan’s therapist, Schofield terminated Logan’s relationship with that therapist. Challenged by Logan, Schofield found justification in dispensing with adherence to the most basic tenets of childcare. Logan, as portrayed by Sally Schofield, was difficult. For dealing with her, Schofield demanded more money and a free hand.

From Logan, as payment for non-compliance, Schofield demanded double time: a time-out for whatever length of time Sally deemed she’d been bad and an additional time-out to pay Sally for the time Sally had spent dealing with the situation. The payback time

seemed endlessly at the mercy of Schofield’s whims. On Logan’s last Christmas Day, according to testimony from the children’s babysitter, Bekah Doughty, Logan spent almost the entire day alone in her bedroom. This was how Logan had come to be typically treated at the hands of the woman who her caseworker, Allison Peters, had thanked for “being so genuinely invested in Logan and Bailey; for clearly loving them...”

Related to Dean Schofield by marriage, the babysitter said she’d invited the Schofields to her home for a Christmas night gathering. Doughty said that Sally arrived with her teenage son and Bailey around 5 p.m., without Logan, and explained that Logan had had a meltdown and had been shut away in her room for the day, not even allowed to play with her gifts. Doughty said Schofield told her Logan had been crying uncontrollably and “had been in her bedroom since around eleven or noon.”

Now in the protective custody of the Maine Department of Human Services for nearly a year, ignored by her DHS caseworker, five-year-old Logan Marr spent her last Christmas locked away in her bedroom, haunted and alone. And still she stood her ground. Sally Schofield was hurting her and her sister, she said during visits. She had never been hurt when she lived with her mother, she told the experts bent on helping DHS discover the truth. And Allison never came to see her, she pointed out in the tenacious, matter-of-fact manner that was her trademark.

Logan had been redirected and corrected by her therapist for being too protective of her younger sister and even of Schofield’s toddler son. Given Schofield’s own unchallenged admissions before Logan’s death and the startling revelations following, regarding her treatment of the five-year-old, one has to wonder if Logan’s concerns for the two younger children were warranted and what she may have witnessed in the Schofield home.

On her Christmas visit with her mother a couple of weeks previous, Logan had spoken longingly of a “home visit Christmas.” Logan’s final Christmas wish was never granted by Allison Peters or DHS.

Already under admonishment from Allison Peters for voicing concerns regarding how Schofield was treating her children, Christy dared not even respond.

In his closing argument in the trial of Sally Schofield, the state prosecutor, Maine Deputy Attorney General William Stokes, told Superior Court Justice Thomas E. Delahanty II that it was “difficult to imagine anything more reckless or criminally negligent than what (Sally Schofield) did to Logan Marr... What the evidence shows this defendant did to Logan Marr was no less an act of violence and child abuse simply because it did not include yelling and screaming and hitting by this defendant or did not include a so-called deadly or dan-

gerous weapon or because it involved a common household item such as duct tape."

A few feet away, Schofield, dressed casually, as she had been throughout the trial, in a skirted summery outfit and toe-loop sandals, her auburn hair pulled back in a combination chignon/ponytail, sat nearly motionless save the constant vibrating of her left foot. She faced straight ahead, sometimes appearing to be staring at the desk, sometimes at nothing at all. She showed no emotion as Stokes continued.

"What this defendant did to Logan Marr was no less an act of violence and child abuse because it was perpetrated by someone who may not meet our stereotypical image of who a child abuser is — and who held herself out as a professional advocate for children," Stokes noted that the act of violence against Logan Marr was "perpetrated by someone who held a most special position of trust... an adoption caseworker for the state... a person on the inside of the system..."

Sally Schofield, he said, "was entrusted with the responsibility of providing a safe home for Logan, not a dungeon-like cell facing a cement wall where Logan would die alone struggling for her last breath."

Over the previous five days of testimony and exhibits, a horrifying picture had emerged of Logan's final hours. Seated in the courtroom throughout the long ordeal, Logan's parents maintained a painful vigil with a small group of family and friends. Occasionally, during a particularly torturous piece of testimony, one of Christy's hands would fly almost involuntarily to her mouth and she'd sit, leaning forward toward the last scraps of Logan's life, with her fingertips pressed firmly against her lips as if to stifle any unintended show of emotion. Sometimes she cried quietly; occasionally she fled the courtroom. A few feet away John Wagg, Logan's father, sat enveloped in silence, his face looking gaunt and haggard.

When Logan arrived home from kindergarten the afternoon of January 31, 2001, she was immediately reminded by Bekah Doughty, the babysitter, that she owed time out. Doughty, who currently has DHS-ordained custody of the Schofields' youngest son, would tell during the trial of Logan's Christmas Day ordeal, of Sally Schofield's "mommies are always right ...even when mommies are wrong" stance, of Schofield's militant attitude toward Logan. One wondered, watching and listening to Doughty, if she'd truly agreed with Schofield's methods or if the stay-at-home mom had simply acquiesced to the authoritarian expertise of the state-endorsed professional.

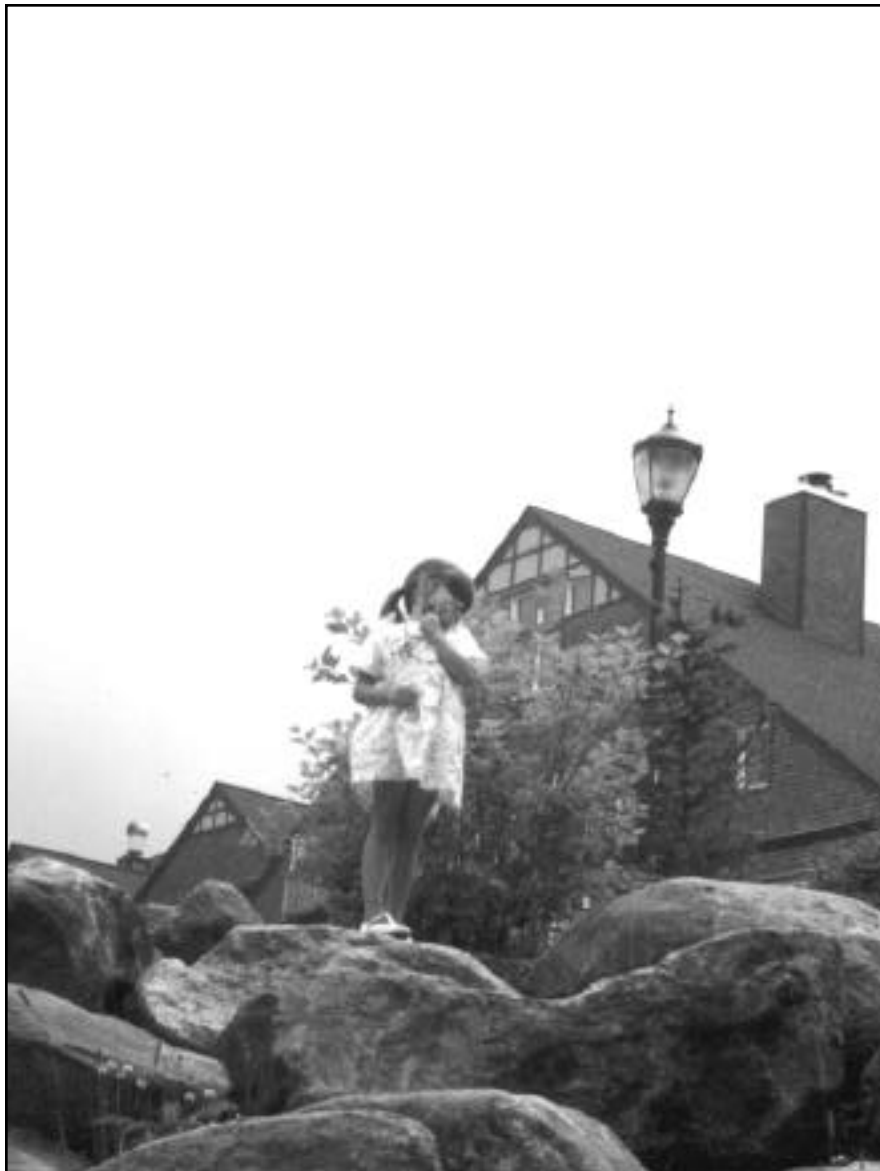
Logan, testified Doughty, had fussed a little bit but then gone to her room with little ado and soon after, had fallen asleep. She was still asleep when Sally Schofield arrived home and Doughty left. But then Logan awoke, with Doughty gone and Sally Schofield back.

A few hours after Logan's death, Sally Schofield told the chief investigator, Detective William Harwood, that Logan had awakened from her afternoon nap screaming. It's difficult to separate fact from fiction in the Schofield account -- she would later invent fragments of conversation she had with Logan regarding interactions she claimed to have had with the five-year-old af-

ter the child was already dead -- but this point may be true. Logan had in fact become increasingly frantic at being separated from her mother as she attempted to protect herself and her younger sister, and even Schofield's toddler son, from the escalating abuse of her foster mother. And as Logan had pointed out, the person most able to help her -- Allison Peters -- never came.

Whether Logan woke up screaming or not, pointed out Stokes, had little relevance to Schofield's actions. "Maybe she did," he acknowledged. "Maybe she had a bad dream. She was only five after all." And five-year-olds, he pointed out, are "not supposed to act like adults."

Schofield spoke almost chattily of Logan's last hours though the veracity of her account came under scru-



Prior to Logan's death, Sally Schofield told a therapist that when Logan had become "highly escalated" on New Year's Eve, "they had her scream in the basement in a high chair."

photo: courtesy of logan marr family

tiny during the trial. Captured on tape on the heels of Logan's death, the tone of the longtime Maine-DHS-worker-turned-DHS-approved-foster parent is beyond comprehension given the seriousness of the subject. Recorded the night of and the the day after Logan's death in interviews with state police investigators, Schofield sometimes sounds singsong or puzzled, sometimes calm and emotionless but when repeating remarks she claims to have been made by Logan, Schofield speaks in a shrill,

mocking mimic. Occasionally she laughs.

If five-year-old Logan did in fact wake up screaming, she found no reassurance, no soothing words or comforting gestures from her state-appointed caregiver. According to Schofield, her reaction was to enter Logan's room and announce, "We're not playing this game."

The woman who DHS's Allison Peters had thanked for "being so genuinely invested in Logan and Bailey; for clearly loving them..." could not be bothered by the needs of the child entrusted to her care. Strangely, Schofield seemed to see nothing wrong with her reaction.

"You need to be quiet -- you need to serve your quiet time," Schofield calmly recounted telling Logan.

"How much time did this child have to serve for this defendant to be satisfied?" demanded Stokes in his opening statement. "And what did Logan say? Logan said, 'I don't understand why I'm in quiet time. Why do I have to do quiet time?' It is a legitimate question," Stokes pointed out. "(Logan) had been sleeping for over two hours. When does quiet time ever end? Why is she serving more quiet time? How much quiet time was this defendant owed by that child? Logan Marr had no way of knowing that she would spend the rest of her life in quiet time."

Stokes theorized that Logan, as Schofield had recounted, may have gotten upset, have escalated. "Most five-year-olds know fundamental unfairness when they see it" And Logan "knew, like most five-year-olds, that she was not being treated fairly..."

What is not mentioned in Stokes' opening is that by this date -- the last day of Logan Marr's life -- Sally Schofield had already taken to putting Logan in the basement for punishment. Schofield had openly admitted it previously to therapist Jennifer Jones. It seemed that either Schofield saw nothing wrong with her bizarre disciplinary methods or she had simply come to understand that she was answerable to no one. One has to wonder at the professionals who contributed to that perspective.

Rebekah Doughty shared another piece of unsettling information during her testimony. Doughty said that Sally Schofield had spoken to her earlier in the year, while Doughty was caring for only the Schofields' youngest son, about coming to the Schofield home to care for additional children because "Sally wanted girls." Schofield had in fact planned on gaining custody of two girls, ages four and five, previous to Logan and Bailey being handed over to her, but the plan had fallen through. So although DHS may have categorized the placement of Logan and Bailey in the Schofield home as an emergency move instigated by the actions of Mary Beth, the previous foster mother, a search was seemingly already in motion to find some girls for Sally. It's not clear why consideration was not given to reuniting the sisters with their mother, given the absence of evidence that the girls had been abused while in her care and her subsequent compliance with DHS mandates.

On January 31, 2001, Logan continued to rail against Schofield, against the endless quiet time, against the unjust treatment. Sally Schofield's response was to order her teenage son to carry the plastic highchair used

by Schofield's youngest son to the basement. Schofield took Logan down the basement stairs.

There was a carpeted area at the bottom of the stairs, a mud room for the outside entryway, but this was not where Schofield placed Logan. Instead, she placed the five-year-old in a high chair that later testimony by Allison Peters would suggest was too small for safety for the five-year-old, behind a blanket curtain facing a concrete wall in a cluttered storage area. Then Sally Schofield calmly told investigators she went back upstairs to prepare potatoes and pork chops for dinner.

"According to this defendant, some truly extraordinary things happened in that area," suggested Stokes. The lengthy recorded interviews with

Sally Schofield, though often poor in technical quality, include her claim that five-year-old Logan, while alone in the basement, got herself into trouble by wrapping herself in duct tape -- in excess of 42 feet of tape which the young child purportedly peeled from the roll unassisted.

It was the first of several unfathomable explanations offered by Schofield. She would suggest that Logan had hit her head and knocked herself out. When told there was no head trauma, she suggested maybe it was a cardiac episode. When there was no cardiac thing, Schofield suggested a seizure.

"This defendant told Detective Harwood, not once, not twice, but three times that while she was upstairs and Logan was downstairs," summarized Stokes, "Logan got into the duct tape and wrapped herself up in the stuff. It was everywhere, she said. When pressed by Detective Harwood to try to be specific ...like where is the duct tape ...the defendant said she didn't think it was that important." Schofield sounds exasperated with Harwood.

"Here is a woman who can recount every transgression Logan Marr ever committed," continued Stokes, "but she can't tell Detective Harwood any details of an event involving a five-year-old child wrapping herself in over 42 feet of duct tape literally minutes before her sudden death -- because she didn't think it was that important."

On the recording Schofield tells Harwood that Logan had been playing around with the duct tape, that she had it on her shirt, in her hair. "What were you doing?" she recalls asking Logan. She mimics the child's response in a drawling, high-pitched whine, "Noth--- thing ...". Schofield, according to her account, tells Logan she'll have to cut it out of her hair. Schofield again mocks Logan's alleged response in a high-pitched, mincing tone, "Just rip it out ...not my hair ...". Bunches of Logan's hair were later separated from tape fragments and entered into evidence. Schofield claimed Logan did not complain or cry out. Detective Harwood can be



Sally Schofield follows her attorney, Jed Davis, from the courtroom. Fire Chief Joe Mills, the first respondent to the January 31, 2001 9-1-1 call said of Sally Schofield, "I never saw a colder person in my life."

And while Schofield had early on suggested that Logan had been injured by hitting her head in the fall, the autopsy determined that there were no bruises on Logan's head. A more likely scenario, suggested during the trial, was that Schofield had lifted the chair, with Logan taped into it, from its base after discovering Logan either unconscious or dead.

Crime scene photos show lengths of duct tape strewn

heard on the tape telling Schofield he has a five-year-old daughter and that he is trying to make sense of what she is telling him. Prosecutors concluded that Logan made no sound because the tape was removed after Logan was already dead. During the interviews, Schofield also claimed the five-year-old had managed to bind her own wrists together with the duct tape.

Harwood testified he'd met at the Schofield home with Police Sergeant Scott Nichols who had told him there were some things he wanted him to see. Behind the blanket curtain, in the crowded storage area was a refrigerator, a dolly, an open storage container, a discarded Walmart bag and the base of the high chair still facing the concrete wall. The seat portion of the turquoise colored plastic high chair, which could be removed from the base for conversion into a toddler chair, still lay on its side nearby. The floor was dotted with drops of blood as was the Wal-mart bag. Sally Schofield would later tell Harwood she'd put Logan in the basement for her time out because "it took away all the fun."

Schofield claimed that Logan had somehow managed to disengage the top section of the high chair, while she was still seated in it, from the bottom section and that chair and child had then toppled to the basement floor. The prosecution, however, demonstrated that to disconnect the two sections, the top portion had to be lifted straight up, a feat deemed impossible for Logan to perform while seated in it.

According to his summary, Stokes pointed out that according to Schofield's explanation, noticing it quiet downstairs, she returned to the storage area and discovered that "Logan had accomplished yet another extraordinary feat of strength and dexterity for a five-year-old. While still buckled into the chair (Schofield had admitted buckling Logan into the chair but not taping her), five-year-old Logan lifted her entire body upwards several inches in order to get her and the chair out of the base, and then heaved herself backwards ..."

"That story," bristled Stokes, "is an insult to human intelligence."

frantically around the storage area -- a scene shielded by a hanging blanket covering the doorway from the view of rescue responders the afternoon of January 31. It is likely Schofield never intended the tape to be found but the area was secured by investigators while Schofield was still at the hospital. She had been transported there, after Logan had been taken away by ambulance, by a Maine State Trooper responding to her 9-1-1 call.

The 9-1-1 recording, played to a hushed courtroom, was of a slightly breathless but otherwise calm woman, identified as Sally Schofield, reporting an unconscious five-year-old. Detective Harwood testified he'd gone to the hospital following a call from his sergeant and explained to the Schofields he'd like to go to their home and talk to everyone; he said the Schofields signed the consent form. The procedure, he noted, was usual in cases where an origin of death had not been immediately established, such as SIDS (Sudden Infant Death Syndrome) cases.

During the trial the separate lengths of duct tape, in excess of 42 feet exhibited in clear plastic bags, were entered into evidence by state prosecutors. State forensic experts testified that three layers of tape had been placed over Logan's mouth and upper lip, as evidenced by a bloody froth from Logan's congested lungs, with a DNA match to Logan, and tiny mustache hairs directly above the bloody stain, discovered on the layered section of duct tape.

Forensic experts from the state crime lab testified that extensive analysis of the sections of duct tape indicated where strands had been cut, where tape had come in contact with skin (indicated by its chemical reaction to crystal violet staining) and to some extent, how it had come in contact with the high chair, or at least with the label on the back of the high chair. Schofield's teenage son testified that after Logan's screams had gone silent and his mother had finally gone back down into the basement to check on her, Schofield had made two trips up the basement stairs. The second, not in dispute, was to call 9-1-1; prosecutors theorized the first was to get a

knife to cut the tape because Logan, still bound, had stopped breathing.

Schofield, summarized Stokes, was cutting the tape, "ripping it, tearing it and flinging it as fast as she could. This was not the act of a woman who had just discovered her foster child playing with duct tape ...saying, 'Oh, what have you got yourself into?' " (the scenario as described to Detective Harwood by Schofield). Stokes concluded Schofield "must have been desperate to get that duct tape off of her before she called 9-1-1."

One of the people to testify in the trial of Sally Schofield was Fire Chief Joe Mills who'd held that position in Chelsea, where the Schofields resided, for about 38 years. Mills was wearing his pager, as was his habit, the afternoon of January 31, 2001, when the call came in from Sally Schofield. His daughter, Janet Bennett, a registered nurse, had just stopped by. "In a particular rush" because the victim was a young child, Mills asked his daughter to accompany him. He knew the nearby location of the Skyline Drive home and when he reached it, "in about three minutes -- four would be a long time" -- someone was flashing the outside light.

Mills, entering the house from the coldness of a wintry January afternoon in Maine, knelt beside the still body of Logan Marr on the mud room floor and was immediately struck by a strange phenomenon. "She was cool. She should have been warm to the touch; she was not." Janet Bennett later testified that when they arrived, "from my own opinion, she was not alive."

Wearing a pink jersey and a light-colored pair of overalls, Logan's face was pale. Barefooted, one of her toes was bleeding, suggesting she'd struck it against the concrete wall she'd been left facing from the high chair although Mills had no way of knowing that.

When a firefighter arrived as part of the rescue response, Mills carried Logan upstairs. She'd wet herself. Mills said the child vomited over his shoulder; the coroner later explained the incident as "postmortem regurgitation" and explained that "when people die," they also frequently lose bowel and bladder control.

While Mills worked on Logan, his daughter, looking for any helpful information, questioned Schofield. At some point, Schofield said something about Logan falling and hitting her head. She was asked if Logan had a history of seizures; Mills recalled Schofield saying no. Bennett also recalled that Schofield initially said no, then hedged and added, "Well, now that you mention it, she kind of stared off ..." During subsequent questioning by Detective Harwood, when Schofield again claimed that Logan had hit her head and knocked herself out and she was told there was "no head thing..." Schofield suggested some kind of a cardiac episode. When her other hypothesized explanations were eliminated, Schofield would latch onto the seizure explanation suggested by Bennett's routine question.

Asked about Schofield's demeanor, Mills described her at the scene as "very calm, very little emotion," then added emphatically, "I never saw a colder person in my life." Questioned by Schofield's lawyer, Jed Davis, Mills said he saw Schofield cry for about a minute at the hospital. Bennett also described Schofield as "very composed considering the circumstances" and remembered that before leaving for the hospital, Schofield walked upstairs and got her handbag.

Also responding to the 9-1-1 call was Joe Mills' son, Maine State Trooper Jeffrey Mills, who described Sally Schofield at the scene as so unemotional that he initially did not see her as having a relationship with the child or direct involvement with the situation. He offered Schofield a ride to the hospital. Enroute, Schofield explained she'd left Logan in the basement alone while she went upstairs to put pork chops on for dinner and repeated the claim about eye rolling seemingly prompted by Bennett's routine query. At the hospital, when medical personnel explained that Logan's condition was bad, Jeffrey Mills said Schofield cried briefly. A nurse de-



Detective William Harwood arrives at the Wiscasset, Maine courthouse for the murder/manslaughter trial of Sally Schofield. According to the prosecution, Schofield told Harwood "not once, not twice, but three times" that five-year-old Logan wrapped herself in over 42 feet of duct tape.

photo: terrilyn simpson

scribed a Schofield "very matter-of-fact, not upset, not crying" who after meeting with the doctor, "broke down just a little bit."

The trial lasted for six days. Sally Schofield's husband, Dean Schofield, did not attend although family members of his were in constant attendance. During breaks in the proceedings, Sally often stood with them, leaning on the rail which separated spectators from defendant and attorney. They talked in low voices, often smiling, with Sally sometimes shaking her head and

rolling her eyes. Dean Schofield's father testified he'd seen Logan tangle herself in rope and a sister of Dean's testified she'd witnessed Logan sticking tape on herself during a craft project. The sister also described an activity-packed weekend Logan had spent on the family farm with the sister and her family shortly before Logan's death, admitting under cross examination Logan had exhibited none of the negative behavior Sally Schofield had portrayed as Logan's customary and nearly constant conduct.

The mainstay of the Schofield defense was the testimony of Dr. John Cooper, an independent West Coast medical examiner who specializes, according to his description, in "second look autopsies." He hypothesized that Logan may have actually died of a seizure, bolstering his theory with an incident from Logan's medical records when she was around six months old. Christy had told Logan's pediatrician that Logan had suffered tremors and some eye rolling following a bout of severe vomiting and diarrhea while suffering from the flu, an incident prosecution witnesses discounted as not unusual in cases of sudden infant illness and not indicative of a seizure disorder. It was the sole incident of possible seizure activity, its only witness a distraught young mother. The prosecution attacked Cooper's theory -- that Logan Marr with no documented symptoms of seizure activity had actually suffered a fatal seizure while bound with over 42 feet of duct tape -- as overly dependent on "cosmic coincidence."

In a seeming attempt to bolster the substance of his involvement, in the middle of his testimony Cooper emphasized, "My point is that I really have to believe in a case to participate." He admitted during cross examination he had not examined crime lab reports related to Logan's death but said the information had been summarized in the state medical examiner's report and suggested that at best, the origin of Logan's death should have been categorized as the result of an "undetermined cause."

During his closing, state prosecutor William Stokes placed a duplicate of the plastic high chair in the center of the courtroom. Seated in it was a child size mannequin similar in stature to Logan Marr. It was dressed in a pink jersey and light-colored overalls similar to those enclosed in plastic bags among trial exhibits. About a third of the way through his closing argument, Stokes picked up a large roll of duct tape and began reeling it off. It made a terrible tearing sound in the still courtroom. Stokes demonstrated the multiple layers of duct tape as forensic experts had determined they'd been placed across Logan's mouth and upper lip. He wrapped layers of tape under the mannequin's chin, stretching it up and then down the sides of its face and under its chin until he'd created a four-layer binding duplicating the lengths cut away and strewn about the junk room where Logan had died. Stokes reminded the judge there had been "a significant amount of head hair" on this section of tape. Forensic experts had pieced together the cut pieces, matching the scrim and backing of the tape, photographing and measuring it, to theorize how and where it had been placed on child and chair. "Given the hair" and the way sections of tape had matched up, "it's got to be going around Logan's head by going under her chin," stated Stokes.

Christy Marr Reposa, her hand cupped tightly over

her mouth, fled the courtroom.

Stokes pulled layer after layer of tape from the roll. A sharp ripping cre-e-ek preceded the addition of each new layer. "The evidence shows four wraps ...three strips and layers ...two to three layers ..." Stokes unwound from the spool and wrapped the head of the child mannequin. "And there could have been more on the face and head," he pointed out, because crystal violet staining, indicating contact with skin, was visible on yet another section of tape.

"What about the body of Logan Marr in the high chair?" he demanded. "The evidence shows ...at least 10 wraps and layers..." That was determined by fragments of black print, matching the missing piece of label from the back of the high chair, trapped in the adhesive of the tape. And more of Logan's hair. Dr. Michael Ferenc, the state medical examiner, after measuring Logan's belly and the chair, testified it was his opinion that the tape was wrapped "snugly" around Logan.

And Dr. Ferenc was conducting his demonstration, said Stokes, "without a real child in the high chair. Logan was an active five-year-old and was upset and distraught and angry at the defendant. She clearly would have been capable of resisting and struggling against what the defendant was doing to her. So, this had to involve the application of physical force to do this against the will of a five-year-old...indeed, an act of physical violence against Logan..."

Schofield told Harwood "that Logan had it wrapped around her wrists as well." Stokes bound the wrists of the child mannequin. According to the defendant, Logan did it all to herself, "while she was raging," said Stokes. But according to what Schofield had told the nurse, Stokes pointed out, "Logan never got out of that chair. Logan Marr, according to this defendant, performed an impossible feat of manual dexterity for a five-year-old and she did it in just a few minutes in between times when the defendant was checking on her. That story...defies common sense."

Then, continued Stokes, Sally Schofield told Detective Harwood "that Logan told her to just rip out the tape and she never uttered a sound...she started cutting and pulling the duct tape...Logan, who had been in a rage crying, stopped raging and crying during what must have been an extremely painful experience... When confronted with the fact that a piece of the paper label on the back of the chair was stuck to the tape, the defendant said well, maybe she put one or two wraps around Logan, just to show her what she did not want to do. Does that story make any sense at all?"

But, pointed out Stokes, over the strand of tape on which a remnant of the label from the back of the high chair occurred, are 10 or more additional layers. "How did the other eight or nine or more layers happen -- they're all on top of the other." Schofield's story, said Stokes, "is full of holes."

Schofield told Harwood that after removing the tape, she left Logan, still in the high chair, in the basement and "Logan was fine but still carrying on." But if Schofield had removed the tape as she claimed, she would have seen bloody froth from the wrap which had

covered Logan's mouth. "That bloody froth came from Logan's congested lungs. She's coughing or breathing up bloody froth..." If Schofield's account of the time sequence had been accurate, "surely she would not have left that child down in the basement with blood coming from her mouth for more quiet time?" Stokes called Schofield's story "nothing short of incredible."

Summarized Stokes: "What the evidence shows really happened was that the defendant left Logan Marr down in the storage area wrapped up in duct tape that

Testimony from DHS officials suggested that Sally Schofield had a demonstrated track record of refusing to admit mistakes, of believing she was always right, that she knew more than everyone else. It was, according to testimony, not something she kept secret. As the babysitter recounted, Sally Schofield believed she, as the Mommy, was right even when she was wrong. Knowing that, DHS officials had placed the fate of Logan Marr in Schofield's hands. If they had bothered to ask, it is possible, even likely, that Sally Schofield would have told them how she was treating the girls. She had told her supervisor it wasn't her fault if she knew more than everyone else. She had told therapist Jennifer Jones she'd put Logan in the basement and let her scream. She'd let therapist Kathleen Madore witness her highhandedness toward Logan when the five-year-old had not kowtowed to the foster mother's penchant to control. To the detective she'd openly admitted, in an almost singsong tone, that to discipline Logan, she'd lay on top of her for long periods of time to control her.

And Logan had told a DHS visitation supervisor that Sally was hurting her and her sister. By then, it had already been made clear to Logan's mother by the DHS caseworker if she wanted to continue visits with her daughters, she'd better not make waves. On some level five-year-old Logan Marr seemed to understand that DHS held ultimate power over her, over whether she'd ever be able to go home to her mother, over whether her foster mothers would be allowed to hurt her. But as Logan pointed out, DHS never came. Logan Marr made her final stand alone.

In his conclusion, Deputy Attorney General William Stokes said that "to wrap that child in that way -- to bind and gag her -- and to leave her in that condition, must have been intended to show Logan that she was helpless and totally subject to the control and power" of Sally Schofield. "To do that to Logan must have been intended to break that child's spirit so that she would never challenge this defendant's control again."

Stokes theorized that after Schofield had put on the pork chops and potatoes, she went back down into the basement and that, contrary to Schofield's version, Logan was not alive at this point in time. According to the deposition of Schofield's teenage son,

who was sitting upstairs in the living room, it was sometime after Logan had stopped screaming that his mother went downstairs, came back upstairs, went back down. "And she frantically pulled Logan up from the base of the chair and began removing the duct tape..." theorized Stokes. "And Logan never uttered a sound as clumps of her hair were being ripped out, because she was already dead..."

The teenage son heard sounds as if his mother might have been doing CPR on Logan. Then his mother came back upstairs and called 9-1-1. The teenager went downstairs where he saw Logan lying on the basement floor. He knew something was terribly wrong and he went into his bedroom, in another section of the basement, and started praying. ➤

Katlynn Badger, at Logan's grave site, said Logan "was a feisty little girl and nothing seemed to bother her except being away from her mommy."

photo: terrilyn simpson

she had put on that child. She left her there with her head and face and mouth covered with duct tape and with that tape in very close proximity to Logan's nostrils. She left her there with her arms and body and hands bound up so that Logan could not remove the tape from her face and mouth. She left her there alone, unable to communicate, in what must have been an absolute panic and state of fright. She left her there struggling to breathe through her nose which was probably clogged and congested with mucous and snot because she was so distraught..."

Aftermath

Logan Marr died on January 31, 2001, five months after being placed by the Maine Department of Human Services in the home of Sally and Dean Schofield. The day after Logan's death, her younger sister, Bailey Marr, was removed from the Schofield home and placed in another home selected by DHS officials. It had been six weeks since Logan's videotaped complaints about the abuse she and Bailey were suffering in the Schofield home had been documented in a DHS-supervised visit with her mother.

The initial criminal investigation into Logan's death would last for over a month. On the morning of March 13, 2001, former foster mother and longtime Maine DHS caseworker Sally Ann Schofield was arrested at her Chelsea, Maine, home, where Logan had died, and charged with reckless or criminally negligent manslaughter in connection with Logan's death.

At the urging of Belfast attorney Cliff Fuller, on behalf of Logan's mother, Christy Baker Reposa, Sally Schofield was later additionally charged with depraved indifference murder.

Following her arrest, Schofield was released almost immediately on a mere \$500 bail. According to news coverage, the bail officer later claimed that a district court judge had contacted him and recommended the low financial surety for Schofield's release. In response to a public outcry at the unusually low amount, a second hearing was held and the bail amount was raised to \$12,500 cash or \$25,000 single surety. Dean Schofield's parents, David and Marilyn Schofield, gave the state a lien on their Knox, Maine, home as surety.

When Maine DHS came under additional criticism for not initially taking custody of Schofield's two sons following allegations against Schofield regarding Logan's death, DHS Commissioner Kevin Concannon explained that taking Schofield's children was not an easy matter because Sally Schofield was someone who knew the rules. The unspoken implication was clear -- in a situation where a parent targeted by DHS knew the law, DHS suddenly felt compelled to comply with the law. In another departure from customary *modus operandi*, when Maine DHS officials finally removed Schofield's two sons from her custody, the boys were placed with family members -- in compliance with federal law. When asked by legislators at public hearings following Logan's death about the percentage of Maine foster children placed with relatives, as mandated by the federal kinship care law, DHS officials could not even recite a number. Critics estimate the number to be as low as five percent and say Maine DHS officials have made little effort to comply even when family members are willing and eligible.

Although in the weeks following Logan's death, Commissioner Kevin Concannon released statements indicating his department was conducting an investigation into the Logan Marr case, he later refused to disclose any details and instead requested several million additional dollars in funding.

Sally Schofield went on trial for depraved indifference murder and manslaughter on June 18, 2002. She was escorted to and from the courthouse in Wiscasset,

Maine, each day by members of her husband's family. When a photographer clicked Schofield's picture the first day as she approached a back entrance, Schofield abruptly snapped that that was enough. When her directives were consistently ignored by journalists, Schofield huddled under sweaters and jackets for the brief walk from vehicle to building; the majority of news clips and newspaper photos show a somewhat bulky figure in summer dresses with a head totally shrouded from view. The trial lasted for six days with the verdict issued on the seventh.

In response to a defense motion and at the conclusion of the state's case several days into the trial, presiding Judge Thomas Delahanty, commenting on the complex legal issues involved and acknowledging the added burden of interpreting a law not well defined by the state legislature, acquitted Sally Schofield of the charge of depraved indifference murder. Minutes later an elated Schofield hugged and laughed with family members. Outside the courthouse, Attorney Jed Davis said that "being called a murderer" had been "very difficult to live with" for Schofield... "No one would hire her..." She was "harassed on the street..." He suggested there was a weakness in the state's case "regarding causation."

Davis subpoenaed Logan's DHS caseworker, Allison Peters, to testify for Sally Schofield. In the parking lot of the courthouse, Peters appeared petulant and sulky. She was accompanied by an attorney and an unidentified male companion. Inside the courtroom minutes later, seating herself away from other DHS caseworkers also called upon to testify for Schofield, a Peters whose sulkiness had turned to sobbing was consoled by a court official. When she was called to the witness stand, Peters' attorney rushed from the side of the courtroom to escort her past Logan Marr's family. Choosing her words carefully, Peters spoke with a strident vehemence.

Asked how actively she'd been involved with the case while Logan and Bailey were with the Schofields, Peters said she'd emailed Schofield at least every week and a half and then announced in an indignant tone that in September (the month the young sisters had been placed with the Schofields), she'd made "three visits to the



Christy with her attorney, Cliff Fuller, who urged the prosecution to additionally charge Sally Schofield with depraved indifference murder.

photo: terrilyn simpson



DHS Caseworker Allison Peters, subpoenaed by Schofield's attorney, also refused to be photographed. Outside the Wiscasset courthouse following her testimony, Peters hid behind two male companions.

photo: terrilyn simpson



home." Interestingly, Peters did not say whether she'd spoken to Logan who had been claiming abuse. Peters said the girls had been removed from Mary Beth's home after Logan had had a "temper tantrum" and "Mary Beth said she had not handled it well." Peters said she'd then gone to a supervisor and an adoption caseworker and asked "what was available."

She stipulated that her "first physical contact" with Sally Schofield was "the day I placed (Logan and Bailey) there." In response to being asked if she was aware Schofield was an adoption caseworker, Peters bristled. "I did not know that Sally Schofield existed before she became a foster parent." Asked about Schofield putting Logan in the high chair in the basement, Peters said she "would have expected her to know better...it would not have been safe..." When asked by Davis about her December 14 email to Schofield, thanking her "for so clearly loving" Logan and Bailey, Peters said the communiqué had been "based on what I knew at that time." Peters was not asked if, prior to Logan's death, she'd investigated abuse complaints from Logan regarding Sally Schofield's treatment of her.

Peters also refused to be photographed. Leaving the courthouse following her testimony, she shielded her face and hid behind her two male companions, one of whom shoved a photographer who attempted to photograph the caseworker.

In his closing, defense attorney Jed Davis acknowledged the state had proved beyond a reasonable doubt that Sally Schofield was guilty of assault and reckless conduct but argued she had not been charged with those offenses. He countered that the state had not proved beyond a reasonable doubt that Logan's nose had been blocked by duct tape and emphasized that the expert defense witness had testified Logan had probably died of a seizure and that the cause of Logan's death remained undetermined. He said the state had failed to prove Schofield was guilty as charged.

The court disagreed. On June 25, 2002 Maine Superior Court Justice Thomas E. Delahanty II found Sally Schofield guilty of Class A manslaughter. In delivering the verdict the judge said he found the defendant's conduct toward Logan Marr "unquestionably reckless."

"To some persons Logan posed no problem," said Delahanty. "She was a typical active five-year-old... To others it was a varied experience... But to the defendant, Logan was a constant problem, a demon prone to fits of rage..." In Schofield's home, noted Delahanty, Logan's behavior "changed." She began to "wall up," became "more defiant and challenging to adult authority," had "meltdowns" and would "go into rages with uncontrollable screaming."

Schofield's "primary method of dealing with Logan's increasingly difficult conduct was to invoke progressively longer and more restrictive time out or quiet time periods, including covering her with a blanket, laying on top of her for long periods and bargaining with Logan for the release of one limb at a time, and ultimately



Schofield's attorney, Jed Davis, outside the courthouse following the verdict, said Sally Schofield had "suffered enough."

photo: terrilyn simpson

responded that "Sally Schofield has already suffered enough..." Asked if Schofield was sorry, Davis said she was. Asked what she'd said, Davis looked annoyed and answered impatiently that she had told him she was sorry.

Davis lobbed insults at Logan Marr's family, initially suggesting that comments regarding them were "best left unsaid." Asked to explain, Davis, calling Christy a "deplorable mother", added "this has given some justification to her life... Sally Schofield has finally done something worse than what she has done..." Davis did not elaborate on what he thought Christy had done.

Stokes scoffed at Davis' contention that prosecutors should have struck a deal with Schofield, trading a guilty to manslaughter plea for the state dropping the murder charge.

His customary equanimity broken, Stokes finally sounded fed up. "I reject the notion that we should have dropped the murder charge...to drop it and then discuss...this was pretty outrageous behavior...this was pretty outrageous behavior to a child...at some point, the gig is

up...she is a person convicted of a child homicide..." He added angrily that it was "about time Sally Schofield and her attorney begin to accept a bit of responsibility for what she did to this child."

At a later date, Sally Schofield's parents-in-law once again posted bail on her behalf; she was remanded to the custody of her father-in-law.

In the summer of 2001, Logan's mother with a handful of family and friends met at a small cemetery in Dover-Foxcroft, Maine, at a spot near a stream which Christy said Logan would like. A newly placed gravestone with an enclosed school photo of Logan also included an engraved phrase. Logan's mother and grandmother had laughed over Logan's trademark end-of-discussion stance when she would raise an outstretched arm, face the flat palm of her small hand toward a speaker and nonchalantly issue the directive: "Talk to the hand."

Standing near the grave of her five-year-old daughter, Christy now awaited the arrival of Logan's little sister, Bailey, who was then still in the custody of the Maine Department of Human Services. Christy said she'd been promised by Bailey's new DHS caseworker, Lionel Dehetre, that Bailey, who had not attended Logan's funeral, could be present at the committal service. But DHS, it appeared, had not yet tired of game playing. Christy paced and waited anxiously, then walked away to use a family member's cell phone. During the ensuing calls, she was fed various stories by DHS officials including an initial likelihood that Bailey was probably en route, then that Bailey may have been transported to the grave the day before at the same time of day. (Family members said they'd

been at the grave and that this was untrue.) A final version suggested Bailey might be on an outing with an interim DHS caregiver who hadn't wanted to interrupt her own recreational plans. Tightlipped, Christy finally asked the minister to proceed with the service and promised quietly that someday, Bailey would be able to stand with family members at the grave of her big sister.

DHS had employed similar tactics when Christy had asked to have Logan's belongings returned following her death. After several months and various contradictory stories, some of Logan's toys and items of clothing were finally returned.

In February of this year, Bailey Marr was returned to the care of her mother. In May, Christy regained full custody. She said Bailey speaks of Logan often. Some days are easier than others. In the videotape their mother shot of their last Christmas together, at a DHS visiting center, Logan and Bailey touch often, sharing toys, showing each other gifts, Logan helping Bailey. Now at bedtime, Bailey likes to find "Logie's star" from her window before sleeping. Some nights she sleeps soundly; during some, her screams awaken her mother who holds and reassures her youngest daughter until she finally dares to sleep again. •

The prosecutor, Deputy Attorney General William Stokes, followed by assistant prosecutor Andrew Benson, said angrily that it was "about time Sally Schofield and her attorney begin to accept a bit of responsibility for what she did to this child."

photo: terrilyn simpson



by enforcing quiet time in a high chair at the bottom of the stairs..."

Sally Schofield "as an experienced caseworker," said Delahanty, "would have full knowledge and awareness of rules, regulations, policies and procedures regarding discipline and restraint," including notification that "restraint was not permitted" and a rule of "no physical discipline." And according to testimony from a DHS supervisor, "All adoption caseworkers know that children are not to be confined and isolated."

Delahanty categorized Schofield's claim that Logan was playing with the tape and that she got herself bound up as "preposterous as it is incredible."

Though the exact sequence of events the afternoon of January 31, 2001, is not certain, said Delahanty, "what is clear from the known physical evidence, the defendant's own statements and the logical conclusions to be drawn therefrom, is that at some point Logan's defiance infuriated Sally Schofield to the point that she secured Logan to the high chair by wrapping layers of duct tape around Logan's torso and behind the back of the chair to prevent her from getting out. To silence her screams she wrapped more duct tape under her chin, over her head and across her mouth. Having already violated the rules of discipline by physical confinement, Ms. Schofield then left Logan to struggle against her bonds in isolation."

Concluded Delahanty, "While the Criminal Code does not define how a reasonable person would act under these circumstances, this court has no difficulty in finding that Ms. Schofield's conduct was a gross deviation..."

Sally Schofield was led from the courthouse in handcuffs, her face hidden from view by a sweater draped over her head.

Outside the entrance to the courthouse following the verdict, defense attorney Jed Davis focused on Sally Schofield's losses -- home, children, job, marriage... Asked why Schofield had not taken the stand, Davis

A Grandmother's Plea

Following the murder/manslaughter trial of Sally Schofield for the death of Logan Marr and prior to the sentencing of Schofield on the manslaughter conviction, family members of both the victim and the defendant were allowed to address the court. The family of Logan Marr's father, John Wagg, had said little throughout the long ordeal and John, who family members said was ill, was not in court the day of the sentencing. But given the opportunity to address the judge, John Wagg's mother broke the family's long silence. Following are her remarks to Justice Thomas Delahanty II:

Honorable Judge Delahanty, my name is Elaine Wagg. I am Logan's paternal grandmother. Few people know that my family and I were very involved in Logan's life. Few people knew who we were as we sat in the courtroom during Sally Schofield's trial. Few people know that when Logan and her younger sister were removed from their mother's home that my husband and I wanted to be considered as guardians. Although Logan's younger sister was not related to us, we loved her as if she was. We were denied this request with no explanation. My husband and I have no criminal record. There was no reason why we couldn't raise our granddaughter and her sister.

I suppose that DHS believed Sally Schofield was better able and qualified to raise them.

Needless to say, Logan's death has impacted our family much more than you or the public will ever know. My family and I are not high profile and have preferred to grieve quietly with the support of family and friends. It is important to me and my family that you know that our grief is no less than if you had lost your own child to manslaughter...

Your Honor, I know that during the trial, your attention was directed, as it should have been, toward the testimony given. For that reason, you may not have observed Sally as much as we did. Her coldness and lack of emotion only compounded our grief. It might have been easier for us to digest the manslaughter verdict had we seen any remorse from Sally for the horrible crime that caused the death of our beautiful Logan. But nowhere were we able to find even the slightest hint of remorse or even grief for the loss of Logan's life. The only time we saw any sign of remorse was when

Sally found out she was going to jail. Then and only then did she cry...

I know that Sally Schofield has the right to parade her husband's family... before you today. I'm making a wild guess that they will be saying more of the same statements that they did during the trial. They will tell you how great Sally was with their kids during family gatherings. But don't forget that while these family members thought the world of Sally, she was secretly restraining my granddaughter with her body and blankets. She was forcing Logan to serve time-out for the same offense. You were absolutely correct when you said that there was another side of Sally. My granddaughter died a horrible death because of this other side of Sally.

Your Honor, you and I do not agree on whether this is a crime of murder or manslaughter. I believe Sally Schofield murdered Logan. You see it as a case of manslaughter. While many people in our community have been outraged by the murder charge being thrown out, I have remained hopeful that justice can still be served. I do not fully understand what you must consider in your sentencing of Sally Schofield but I do know this: a five-year-old child has lost her life. It can never be brought back. I know too, that the state of Maine does not have the death penalty. I'm not sure how I feel about that. Although even you, as a judge of the Superior Court, do not have the power to sentence Sally to death, you must consider in your sentencing of Sally Schofield that she sentenced Logan to death. Sally must be punished. You must show the people of Maine that this behavior will not be tolerated. Severe punishment is in order. Please show the people of this state that punishment for this crime is the same whether you are a man or a woman, a DHS worker or a foster parent or a biological parent. Please help restore our trust in our justice system and use your power to help us heal... Thank you.

Schofield Sentenced

On September 26, 2002, Justice Thomas E. Delahanty II sentenced Sally Ann Schofield to 28 years in prison, with eight years suspended and six years probation. He stipulated that she is to have no unsupervised contact with a child under the age of 14. Schofield has appealed that sentence.

Father

Continued from page 5

no. Elaine said again no reason was given. She recalled that when John argued, Peters again gave the okay. Party plans were underway and Elaine had arranged for the day off from work when Peters again reneged. John was told he could instead take Logan to McDonald's in Augusta, near the visiting center.

John told Peters he'd had enough, that he would no longer jump through hoops for DHS. "I told them, 'you ain't going to run my life like you run Christy's.'" Interviewed after the conviction and sentencing of Sally Schofield, John said missing Logan's last birthday is not an easy thing to live with but that he had begun to feel like Peters and other DHS officials kept changing the rules and if he continued to go along, DHS would continue more of the same. "I was trying to make a point."

He thought if he "laid low" for awhile, DHS would eventually "have to shoot straight... they'd eventually have to do something...if I let them know I wasn't going to play their game they'd eventually have to shoot straight with me and eventually my lawyer or somebody would step in and say, 'listen, you can't do this...'"

He'd begun, he said, to have a "gut feeling" that he needed to get Logan out of foster care and his fears were exacerbated by the incident with Mary Beth, the foster mother who'd acknowledged losing control and slamming Logan onto her bed with her arm across Logan's neck. He'd begun to worry that DHS had little intention of reuniting Logan with Christy.

"After the incident with Mary Beth... that's when me and Mom went to Allison Peters and said (Logan) should be placed in one of our custodies..." But Peters told them Logan was being placed with a new foster mother, Sally Schofield, who Peters described as "very experienced..." John's voice is edged with bitter sarcasm. "'You have nothing to worry about,' " Peters reassured them.

"And we said, look, nothing better happen to this little girl or you guys are going to pay -- you guys will never hear the end of it..."

His last visit with Logan was the week before her birthday -- he'd taken her some little sticky bugs that "crawled up the wall," coloring books and some juice and a snack in his old cooler.

Asked for a favorite memory, he hesitated. "Ah, there was alot of memories...she spent a Christmas Eve with us..." John, Logan and his mother sat in his mother's living room opposite the Christmas tree and watched The Wizard of Oz together. His mother, who worked long hours, dozed off. Logan "was always pretty hyper...and she wanted to get under the Christmas tree and check everything out... so I was trying to tell her you can't get underneath the tree until the morning...sit down and watch the movie with Daddy..." Logan had been lying on the floor in front of an armchair her grandmother had covered with a blanket. "And the next thing I know... I turned around and there was Logan curled up in the blanket, right next to the chair but kind of under the tree... she wanted to sleep under that tree..."

"I think both DHS and Sally Schofield are responsible for her death," he reflected.

Asked what changes he'd like to see in the child protective system, he did not hesitate. "I think DHS needs to stop lying so much... To me, I feel they lied to my mother and me alot..."

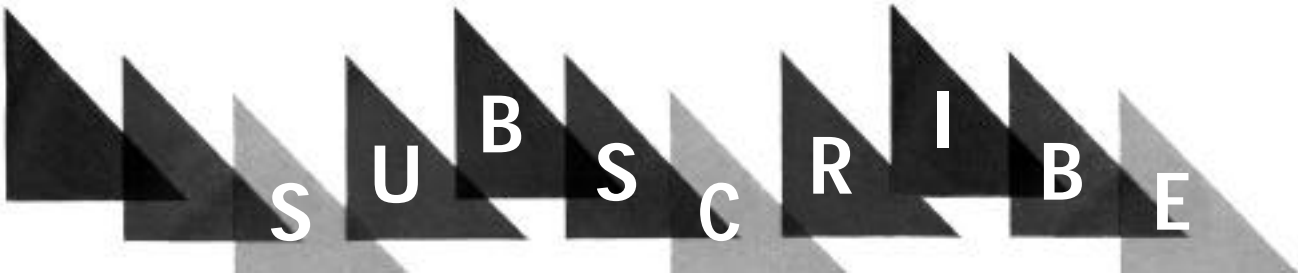
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