

Notes from Standing Rock – Update, November 26, 2016

Dear Friends and Colleagues,

An alarming series of developments has happened since I returned from Standing Rock a little over a week ago; things have escalated, and there is much we all can do to help. For background, and especially if you plan to go to Standing Rock, please read the original letter of November 19, which has been posted on the Veterans For Peace web site (copy and paste the link into your browser if it does not click through.) <http://www.vfpbellingham.org/tipping-the-scale/notes-from-standing-rock>

First, be aware that the US Army Corps of Engineers (“ACE”) issued an order yesterday that it intends to close the camps that are currently leasing former Sioux land from the ACE, and it has said everyone must be out by December 5, which is a week from Monday. Here is a news release with the ACE’s order and a response from the Standing Rock Sioux Tribe. <http://standwithstandingrock.net/army-corp-closes-public-access-oceti-sakowin-camp-dec-5th/> **(copy and paste this and all following links if they do not click through.)**

The Army Corp’s request is the equivalent of asking a small city to dismantle itself in one week, in freezing cold weather. Affected camps include the main one at Oceti Sakowin, and a smaller sub-camp that is considered by the government to be a “trespass” camp. Sacred Stone Camp is on private land. The ACE intends to move more than 4,000 people to a smaller camp across the Missouri River (Rosebud Camp) that is still on Army Corps land but is already chock-full and in no way has the capacity to house that many people. The Army Corps considers this action a form of mitigation, as a “free speech zone.” The oil company (Dakota Access Pipeline, or DAPL) no doubt considers it a paycheck. Native Americans rightfully consider it a mortal threat to tribal sovereignty everywhere that oil or mining interests threaten their lands. All people should consider it a manipulation of First Amendment rights. Recent tactics being used for people and their belongings who do not get out of the way after an evacuation order have included arrests, bulldozers, and the urine of DAPL employees on peoples’ bulldozed belongings.

Why such a short deadline to evacuate camp? The Dakota Access Pipeline, which is owned by Energy Transfer Partners, has to pay a substantial penalty if the pipeline is not finished in January. They obviously don’t want to do that. **Therefore, we are looking at the intense irony of federal and state government agencies and law enforcement helping the bottom line of an oil company that is openly violating a federal court order to stop construction, by eliminating the rights of the very Americans on whose land the project desecrates and was stolen in the first place.**

It should be noted that the largest single customer for fossil fuels in the world is the US military, and that the Pentagon, of which the Army Corps of Engineers is a part,

has institutionalized the chronic abuse of environmental and cultural/historic protection laws as standard operating procedure, across all branches of the Armed Services when it is to their benefit. One example of that in the Pacific Northwest can be found here: <http://westcoastactionalliance.org/1232016-how-the-navy-gets-its-way-part-1> Such abuses of law, along with lack of adequate notification for Tribes and the public, have resulted in uneven decisions on *whose* environment or history or culture is protected. We all know how disproportionately minorities continue to bear that burden.

It doesn't help that Energy Transfer Partners CEO Kelcy Warren has been rubbing salt into wounds by saying that the Sioux had multiple opportunities to consult with his company and didn't bother—however, this embedded video from September 2014 puts the lie to that claim: <http://standwithstandingrock.net/army-corp-closes-public-access-oceti-sakowin-camp-dec-5th/>

Another possible reason for such an abrupt and panicky-sounding decision by the Army Corps is the announcement by more than 1,000 American veterans of many wars, that they are traveling to Standing Rock and will arrive by December 4, the day before the evacuation order goes into full effect. They plan to stand in full uniform, on the front lines, and let the world watch as US veterans peacefully protesting are maced, teargassed, shot with rubber bullets and water-cannoned in freezing weather. So, to avoid a public relations nightmare image like that as well as the escalation it represents in the peoples' peaceful response to last Sunday's atrocities, the Army Corps will attempt to clear out the camps. The Sioux Nation and their many allies, however, have no intention of evacuating and allowing the graves of their ancestors to be further bulldozed and desecrated by an oil company.

Thus, by issuing the order to close the camps without first negotiating with Standing Rock, the US government has just escalated the situation to an extremely dangerous and confrontational level. **All this so an oil company can ram through its infrastructure and obligate the rest of us to use it for the next 4 decades, for the purpose of slowing the conversion from fossil fuels to cleaner forms of energy, because they've got to make a profit, no matter who dies, and it would appear that the lives of Native Americans and their Allies are an acceptable cost of doing business.**

Most of us are aware by now of the incident at Standing Rock last Sunday night, in which police in 26-degree weather used water cannons, teargas, rubber bullets, mace and flash grenades on unarmed water protectors. This galvanized public opinion like no other incident has. You may also be aware of the fact that an estimated 300 people were injured, with 26 sustaining severe enough injuries to require hospitalization. A Seattle-based doctor who was working in the medic tent that night observed that most of the rubber bullet injuries were head wounds, and legal observers reported that police appeared to be deliberately aiming at peoples' faces, legs and groin areas. This is a description of that night's events:

<https://theintercept.com/2016/11/21/medics-describe-how-police-sprayed-standing-rock-demonstrators-with-tear-gas-and-water-cannons/>

I listened to a video interview at a press conference the following morning with Morton County Sheriff Kyle Kirchmeier, and frankly I found his statement that police were “trying to keep everybody, including the protestors, safe” to be so egregiously false and unbecoming of a public servant that I transcribed some of his remarks and those of Mandan Sheriff Jason Ziegler. The official video of this press conference has since been removed from the internet, but photos show that the police had barricaded themselves behind coils of razor wire, which made it impossible to physically reach them. Sheriff Kirchmeier’s remarks are a classic example of the psychological tactic called “DARVO,” which means “Deny, Attack, and Reverse Victim and Offender.” <http://dynamic.uoregon.edu/jjf/defineDARVO.html>

Background: The incident started around 6 pm and lasted late into the night. Twenty canisters of mace and teargas were immediately used on the water protectors who were trying to clear two military trucks that the police had chained to the bridge over the Cannon Ball River, a few hundred yards north of the Oceti Sakowin (main) camp. This blockade increases ambulance response time by a half hour and endangers lives; the Sioux Nation has made official complaints about it. While the gases from these canisters were still airborne, police sprayed through them with the water cannon, which caused the chemical-laced water spray to reach legal observers and other people standing well back from the bridge. Live video streams from observers were repeatedly cut off by the electronic surveillance truck.

One young woman on the front lines sustained 14 rubber bullet injuries while carrying water to injured people, before her lower arm was nearly blown off by a grenade that she saw an officer throw directly at her. A witness reported hearing one police officer laughing and saying, “Nice shot.” Hundreds more water protectors were injured. In addition to aiming at peoples’ faces, police are also being accused by witnesses of pulling the pins on flash grenades and counting to five before lobbing them directly at people, rather than into the air, as is intended for this type of munition. A grenade lobbed in this manner is how the young woman’s arm was destroyed; surgeons dug shrapnel out of it over several operations. Police are denying they used grenades, and the FBI confiscated the young woman’s clothing, but shrapnel chunks were being kept at the hospital as evidence that police were using grenades. Also, two of these grenades, one exploded and one not, were found onsite the next day.

A reporter asked about the use of water cannons, and Sheriff Kirchmeier denied they were water cannons; he said they were fire hoses and that the police were only “misting” the protestors. Numerous videos clearly refute this claim. I googled images of water cannons. You can, too. A photo of a tank-like military truck with water streaming straight out from a jet atop it and firing from behind ice-coated razor wire is clearly visible in news stories reporting Sunday’s incident. A water cannon is a way of weaponizing water to be fired at high velocity; it can be lethal, and can peel

the skin off your body. In fact a medic reported that the water cannon did “de-glove” all the skin and some deep tissue from a man’s hand, until the bones were showing.

So, back to the Sheriff’s remarks: A reporter at the press conference asked why the police had closed the Cannon Ball Bridge and chained two military vehicles across it to prevent passage. He echoed Sioux Nation concerns that the closure endangers life because the only route now available for ambulances to the hospital takes a half-hour longer. The lack of passage over the bridge also cuts off road access to the DAPL drilling site, which everyone knows is the real reason for the closure.

The sheriff explained that the bridge was closed because protestors had damaged it (they have not, I saw it), and that until the DOT could come and safely inspect it to make a safety determination, it would remain closed.

Reporter asked what it would take to have the inspection, and to open the bridge and stop the conflict.

Sheriff Kirchmeier replied that everyone would have to leave the area. He obviously meant the entire population of the camps.

Reporter: “So, it’s in the best interest of their (protestors’) safety concerns to stop them from doing it?” (going on the bridge).

Kirchmeier: “Well, it’s in the best interests of everybody that uh, that’s on the road, you know, we want to make sure that, that, the area is safe and that, uh, the bridge is safe, and we have to make sure that, there’s some things that need to be done, uh, before that determination (by DOT that the bridge is structurally safe) can be made. And that’s not a determination by law enforcement, that’s a determination by bridge inspectors.”

Reporter: “How concerned should residents of the Bismarck-Mandan area be in regards to the daily protests we’ve seen since last week?”

Kirchmeier: “Well, uh, these activities as they’re going on, in, uh, happen on a, uh, like there’s no communication in what’s gonna take place, uh, on what is occurring, and we react according to that. It’s like last night, and any other protest activity that occurs, is that we are reacting to what they do. We’re not out there looking for anything, we are here reacting to that, uh, to make sure the public and, uh, the protestors that are doing this, uh, stay safe. But they have to do it in a lawful manner, and the majority of the time, that uh, has not occurred, which then heightens, uh, uh, I guess the concerns for everybody involved.

Reporter: “Is there a manual that you use for these tactics, and may we see it?”

Mandan Sheriff Jason Ziegler steps up and explains the differences between “crowd control and crowd management.” Then he says, “The manual that we have is tactical,

so we will not share that with you and it's something because we don't share our tactics when we're out in the field, with anybody."

Reporter: "Is the use of water hoses in that manual?"

Ziegler: "We can use whatever force is necessary to maintain peace."

Reporter: "Was the use of water hoses last night necessary to keep your officers safe?"

Ziegler: "It was effective, wasn't it?" (small smile)

Reporter asked if the police had information on people who'd been admitted to hospitals.

Ziegler: "We don't have any reports of that."

Reporter asked about the officer who'd been purportedly injured by a thrown rock.

Ziegler: "Yes, all the officers wear helmets. No we don't have any information on the officer that was injured by a rock. His name and information about his condition will stay confidential."

Reporter: "Is the use of hoses something you'd consider using again?"

Ziegler: "It depends on the circumstances. If it's the force necessary to maintain control and order in order to keep them from throwing rocks at our police officers, to maintain law and order, yes."

A volunteer medic was later quoted in a news article as follows: "We are standing back in a state of disbelief," said Jesse Lopez, a surgeon based in Kansas City, who has traveled to North Dakota multiple times to support the Medic and Healer Council. "I maybe could see pepper spray, maybe rubber bullets, maybe tear gas, but water cannons? That's done to inflict deliberate, severe, life-threatening harm."

This video interview of a Native American woman explains the role of women in this protest, and the abuse they have been subjected to for exercising their First Amendment rights, is worth watching: <https://www.theguardian.com/us-news/2016/nov/04/dakota-access-pipeline-protest-standing-rock-women-police-abuse> The daughter of Sacred Stone Camp leader LaDonna Brave Bull Allard reported that after being pulled out of a car in which she was a passenger who was not violating any laws, she was arrested, transported to jail, and then ordered by a female police officer to strip naked for a search. She asked the officer to turn her head to give her some privacy; the officer refused. She asked if a towel could be held up; this was also refused. So she told the officer that she was not going to remove

her clothes. A few minutes later, 4 male and 2 female police officers entered her cell and forcefully tore all her clothes off. They searched her body and then threw her into a urine-encrusted dog kennel cage overnight, naked. Reports of these dog kennels being used for arrestees are now common. Strip searches are being imposed on all female arrestees; I don't know about males.

A Standing Rock elder with whom I am in communication said this yesterday after the Army Corps announcement, "I would suggest that as many people as possible come to North Dakota and stand on the land that the Army Corps is going to invade and arrest. Everybody should be prepared to be arrested. No violence. We need thousands."

A friend wrote: "Native Americans ARE Americans with a high rate of people enlisted in the armed services, who are patriotic and who are members of churches by choice. They drive cars, watch television, write poetry, have PhDs, and they have survived through perseverance in the face of appallingly difficult circumstances--disempowered by the white majority, most of whom have never met a Native American personally. The people at Standing Rock are speaking from a common sense point of view."

It's time we who enjoy privilege and comfort gave them our support.

What can you do?

1.) From your chair you can take immediate action on the Standing Rock Sioux Tribe's official web site, here: <http://standwithstandingrock.net/take-action/> Actions include signing a petition, calling the White House, and donating directly to the Tribe.

2.) You can get Resolutions of Support passed in your local community, organization, or government and send them to Standing Rock, who is posting them. Go here to see who has done this: <http://standwithstandingrock.net/supporters/>

3.) You can follow the Standing Rock Sioux Tribe on Facebook here: <https://www.facebook.com/Standing-Rock-Sioux-Tribe-402298239798452/> and on Tumblr, here: <http://tumblr.standwithstandingrock.net> and on Twitter, here: @StandingRockST

4.) You can donate directly to the Standing Rock Sioux Tribe, who are in great need of funds, here: <http://standwithstandingrock.net/donate/> and here: <http://standwithstandingrock.net/donate/>

5.) You can call the following North Dakota agencies. Lines may be busy, but keep trying:

ND Office of the Governor: 701-328-2200

Morton County Sheriff's Department: 701-328-8118 and 701-667-3330

North Dakota National Guard: 701-333-2000

President Obama: 202-456-1111

ND Senator Heidi Heitkamp called the Army Corps' move "necessary to protect everyone's safety," but meanwhile, DAPL continues to drill under the river. Call her at: 202-224-2043 and write her either at:

<https://www.heitkamp.senate.gov/public/index.cfm/email-heidi> or more directly: press@heitkamp.senate.gov or on Twitter at: @SenatorHeitkamp.

Email Senator John Hoeven, whose mentions of ANY tribes on his web site total zero, and who with ND Governor Jack Dalrymple and other officials recently demanded that the federal government approve the pipeline easement immediately. Call him at 701-250-4618 in ND, 202-224-2551, email Don_canton@hoeven.senate.gov, follow him on Twitter at: @SenJohnHoeven, or contact him at:

<https://www.hoeven.senate.gov/contact/email-the-senator>

6.) If you go to Standing Rock, know that you are entering a war zone. Please read the following: <http://standwithstandingrock.net/camp-etiquette/>

The first "Notes from Standing Rock" letter, here:

<http://www.vfpbellingham.org/tipping-the-scale/notes-from-standing-rock>

Read up on your Fourth Amendment rights regarding search and seizure:

<https://www.gpo.gov/fdsys/pkg/GPO-CONAN-1992/pdf/GPO-CONAN-1992-10-5.pdf>

And read up on your rights from the ACLU, regarding interactions with police:

<https://www.aclupa.org/issues/policepractices/your-right-record-and-observe-police/taking-photos-video-and-audio/>

Thanks for your continuing interest and support. In so many ways—Tribal sovereignty, freedom of speech, social justice, and climate change—the Standing Rock Sioux Tribe is the tip of the spear for all of us.

Sincerely and with respect,
Karen Sullivan