

Tribal member 'shields' Standing Rock

By Brent Merrill

Smoke Signals staff writer

When Grand Ronde Tribal member Monty Herron saw images of water protectors being assaulted on the ground by law enforcement officers at the site of a months-long conflict over water in Cannon Ball, N.D., he felt a call to action.

In particular it was the graphic image of water protector Sophia Wilansky's arm being shredded by a Morton County Sheriff's concussion grenade while a water cannon was being fired at water protectors that raised Herron's ire.

The grenades, rubber bullets and water cannon had been aimed at water protectors at ground zero of the latest national Native American cause to draw worldwide attention on Sunday, Nov. 20.

Wilansky was carrying water bottles to fellow water protectors across Backwater Bridge at the Oceti Sakowin Camp where as many as 10,000 protestors were staying. Backwater Bridge has become the border between law enforcement personnel and water protectors.

Herron, who is preparing to make a return trip to Standing Rock in mid-December, said he felt he needed to go again when he saw news reports of what was happening.

Herron has already made one trip to North Dakota to the area of the \$3.8 billion Dakota Access Pipeline project and is now planning a second trip to the contested site.

Dallas, Texas-based Energy Transfer Partners owns the pipeline project that, if completed, would transport up to 570,000 barrels of oil 1,172 miles daily through four states from the Bakken Oil Fields in North Dakota to a crude oil terminal in Patoka, Ill., via South Dakota and Iowa.

At issue is the Standing Rock Sioux Tribe's view that allowing Energy Transfer Partners to keep digging a pipeline under Lake Oahe, which is a reservoir of the nearby Missouri River, would not only contaminate the Tribe's water supply, but desecrate important cultural sites that were thought to be protected by treaty rights.

A modern-day battle zone was created over the summer months and occupation of the area by water protectors and their supporters has stretched on into the brutally cold North Dakota winter.

"For me, the first trip was about taking medicines and blankets and needed building supplies to support them," said Herron while seated in Tribal Council chambers holding a 4-foot tall, see-through Lexan shield he made for the water protectors. "When the campaign was over, I felt Creator's call to go and do that. To do this, the building of the shields, was because I felt called again. When I saw the footage and saw the visceral pictures of that poor woman's arm being obliterated by a concussion grenade that was when I knew I had to do something."

Lexan is a polycarbonate, which is used to make rigid, transparent materials.



Photo by Michelle Alaimo

Monty Herron displays one of several shields he made for the water protectors protesting the Dakota Access Pipeline in North Dakota.

Herron, who worked as a corrections officer at Oregon State Penitentiary, said he felt he needed to use his training to help protect water protectors from the law enforcement abuses he says he saw while at Standing Rock.

Herron said he experienced the abuses in person when he was detained at what he called "illegal" roadblocks on the highways leading to Cannon Ball and the Oceti Sakowin Camp site.

"I had to take the knowledge that I was given in law enforcement training and turn that right back around to shield our protectors," said Herron. "These shields will protect the water protectors. When they join arms and link these up it will form a wall 4 feet tall by 24 feet wide as a first line of defense. It will bounce those tear gas canisters right back at them."

Reports from the area indicate that pipeline security personnel and Morton County Sheriff's officers have laid razor wire along the banks of Cantapeta Creek to restrict access to the construction site.

On Wednesday, Nov. 30, Herron reported to Tribal Council about his first trip to Standing Rock. He said that he was able to gather much needed contributions of medicine, bandaging materials, toothpaste and toothbrushes, and a pallet of wool blankets to take as well as that he delivered the \$2,500 contribution the Grand Ronde Tribe made to the Standing Rock Sioux.

"Everything was really, really appreciated and received very well," said Herron. "I'm really excited to be going back. If anyone wants to help they can contact me and I have a PayPal set up for this current campaign. I feel really blessed to be able to do this work and I picked up my Tribal flag this week so we'll have that with us when we go."

Corps denies easement for pipeline

On Sunday, Dec. 4, the U.S. Army Corps of Engineers announced that it would not grant an easement to Energy Transfer Partners that

would allow the pipeline to be constructed under Lake Oahe. In the statement, the Corps said alternative routes would need to be explored further.

Within just a few hours of the announcement that work would cease, Energy Transfer Partners and co-owner Sunoco Logistics issued an announcement that they were still "fully committed to ensuring that this vital project is brought to completion and fully expect to complete construction of the pipeline without any additional rerouting in and around Lake Oahe."

The statement went on to say the announcement by the Corps changed "nothing."

According to a report on the CBS Evening News on Dec. 5, Energy Transfer Partners called the decision "purely political" and said the company is counting on the incoming Trump administration to reverse the Corps' decision.

Morton County Sheriff's Office spokesperson Rob Keller said their force does not use concussion grenades or rubber bullets, but that they have used tear gas, sponge rounds and that they have sprayed water on protectors from one of their fire trucks.

"Our folks have been very restrained in that there have been no deaths," said Keller. "But what we use is less than lethal rounds and all have been approved. They are not rubber bullets; that is a misnomer. A rubber bullet comes out of a cartridge and can inflict quite a bit of damage. We use sponge rounds. It's meant to stun, to stop a person. "We don't have concussion grenades. We have tear gas and pepper spray to disperse a crowd. A lot of times we didn't use those because it was being thrown back at us or it came back in our eyes too."

Keller said he was aware of the situation that occurred when Wilansky nearly lost her arm at Backwater Bridge.

"What you are referring to was observed by our officers that night at Backwater Bridge," said Keller of the incident. "That particular night we tried to disperse the crowd, but

we realized that there was the sound of an explosion. We do not have any rounds that create an explosion. It is still part of an ongoing investigation, but the investigation has shown that it was a propane canister that exploded. We have them here in our evidence – they were being made into improvised explosive devices.

"Our officers observed one of the devices being rolled under a piece of equipment. That propane canister exploded and after it exploded we observed a female being carried off by a couple of people on the bridge. It was a homemade IED that went off."

On Monday, Dec. 12, the National Lawyers Guild filed a class action suit against Sheriff Kyle Kirchmeier and Morton County through the U.S. District Court in Bismarck, N.D., for "using excessive force" against water protectors in Cannon Ball.

The suit seeks an immediate injunction that would keep the Morton County Sheriff's Office from using rubber bullets, lead-filled bean bags, tear gas, concussion grenades and water cannons on people at the sites.

Herron said he understands why people want to celebrate the Army Corps of Engineers announcement as a victory, but he said he worries about the situation and still plans to travel to North Dakota despite the blizzard-like conditions there.

Keller said the situation on the ground currently is that construction on the pipeline has stopped.

"Our severe weather has us concerned for public safety," said Keller. "The pipeline up to the bore hole is in the ground. Nothing is going on except maybe a little bit of reclamation work."

Keller stressed that his department does not work for the oil company or their interests.

"We don't work for DAPL," said Keller. "We were responding to a call for assistance. What it comes down to is it is illegal for DAPL to bore because the courts have ruled that they cannot. They cannot bore under there until they get the easement. So if they were to start boring under there now they would be breaking the law so we in law enforcement need to enforce that."

"Could it easily come to the other side where we then have to make arrests or stop the boring? That could very well possibly be."

Keller said it's a waiting game. "We are all waiting for the new administration and whatever Trump wants to do," said Keller. "We've got to get back to building relationships."

'Cautious optimism'

"Where I'm at is cautious optimism," said Herron. "We need to gather ourselves and enjoy this victory. We need to take a deep breath because we're going to need to move forward again. We have to do this again. We're going to have to do this more often. These shields

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