

Judge allows police to use grenades against Dakota Access Pipeline protesters

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Yesterday, Chief Judge for the District of North Dakota, Daniel L. Hovland, rejected a request for a temporary restraining order to prevent law enforcement agencies from using impact munitions against Dakota Access Pipeline protesters in the Oceti Sakowin camp in North Dakota.

The request was part of a class-action lawsuit filed on behalf of protesters injured by police on November 20, some of whom required hospitalization and surgery following burns, shrapnel wounds, retinal detachment, broken bones and loss of consciousness caused by head trauma. The munitions cited by the request include and are not limited to: rubber bullets, lead-filled beanbags, water cannons, directed energy devices, concussion grenades, and chemical agents.

The rejection is based on a technicality. According to Hovland, the Water Protector Legal Collective, which is representing the protesters, had failed to provide written proof that all the defendants—at least 76 law enforcement agencies from 10 states, including the North Dakota National Guard—were informed of the request.

“Illegal use of force against the water protectors has been escalating,” said one of the collective’s attorneys, Rachel Lederman, in a press release. “It is only a matter of luck that no one has been killed.”

The Standing Rock Medic & Healer Council issued a letter condemning the “war-like conditions” confronting protesters. Others injured on the night of November 20 include two Native American tribal elders who suffered cardiac arrest, a 13-year-old girl hit by a rubber bullet in the face, and 21-year-old Sophia Walinsky, whose left arm was blown apart by a concussion grenade launched by police.

Walinsky faces the possible loss of her arm. Her father, Wayne, speaking in an interview livestreamed to

Facebook, pointed out, “You know this is America! Where she was hit by a grenade—she’s not in Iraq or Afghanistan. This is like the wound of... someone we send to fight in a war. It’s not supposed to be a war. She’s peacefully trying to get people to not destroy the water supply. And they’re trying to kill her.”

Morton County Sheriff Kyle Kirchmeier defended the use of impact munitions against unarmed protesters, telling that *Bismarck Tribune* that “these are lawful tools to quell the advancement” of protesters.

Hovland’s rejection of the temporary restraining order comes three days after an executive order on Wednesday from North Dakota’s governor, Republican Jack Dalrymple, ordering the immediate “evacuation” of the protest site issued out of concern for the oncoming winter and the “best interest of public safety.”

The governor’s order also specified that emergency services to the protest site would be approved only on a case-by-case by the Morton County Sheriff or the Superintendent of North Dakota’s State Highway Patrol. After public outrage, Dalrymple clarified yesterday that people would not be prevented from entering the protest area, nor stopped and fined for bringing supplies into the camps.

The protests have been led by the region’s Sioux tribes, which oppose the oil pipeline’s construction out of fear of water contamination and the further destruction of cultural sites. The \$3.8 billion pipeline will transport up to 570,000 barrels of crude oil a day from the Bakken Shale field in North Dakota to existing pipelines in Illinois. Energy Transfer Partners, the company that owns the pipeline, has been responsible for more than 200 recorded pipeline leaks since 2010.

The protests have won support from broad layers of

workers and youth, spreading through social media under the tag #WaterIsLife, with rallies being held in cities throughout the United States, including San Francisco, New York, Los Angeles, Houston, Minneapolis, and Washington, DC. Other sympathy demonstrations have been held internationally by indigenous groups in New Zealand, Australia, and Mongolia.

Two thousand American military veterans are organizing a sympathy deployment to the Oceti Sakowin camp for December 4. The organizers, Veterans for Standing Rock, have begun organizing future mobilizations to lend continuous support to the Sioux throughout the winter.

“We agreed that the only ‘people’ we served overseas fighting were the likes of Halliburton, KBR, AECOM, DynCorp, Raytheon, Environmental Chemical, and so many more,” wrote Will Griffin, a veteran of the Iraq and Afghanistan wars. “We know that our own government lied to us. We know that the world is not a safer place than it was before the United States illegally occupied Iraq and Afghanistan; we understand that militaries don’t bring peace. Looking into the eyes of the police at Standing Rock, we saw ourselves.”

Police at the protest camp are supported by armored vehicles, which have been deployed in the US’ imperialist wars in the Middle East. The Federal Aviation Administration has declared the area a no-fly zone, banning the use of drones to capture aerial footage of the protest site. Barbed wire lines the shores of nearby Turtle Island, and the bridge on Highway 1806 near the protest site is littered with concrete barricades. Police floodlights light the camp every night.

The Democratic Party has largely remained silent on the protests, with Hillary Clinton releasing a mealy-mouthed statement during the campaign calling for the protesters to reach a compromise with the pipeline company, and Obama stating on November 1 that his administration would “let it play out for several more weeks,” presumably until President-Elect Donald Trump assumes the office.

The leaderships of Native American tribes, a privileged layer groomed by the Democratic Party, have sought to divert the protests into the dead-end of pressure politics, issuing toothless appeals to leading

figures within the Democratic Party. On November 30, a dozen Sioux tribe leaders issued an open letter to President Barack Obama imploring him to protect the US Constitution. “[I]t is time for you as Commander-in-Chief to enforce the law,” they write.

The Obama administration is responsible for extrajudicial assassinations on a weekly basis, maintaining indefinite incarceration at the Guantánamo Bay prison camp, torture, mass surveillance and more persecutions of whistle-blowers than all previous administrations combined.

It defends capitalist law, which means impunity for Wall Street bankers, giant oil companies and environmental criminals, and rubber bullets and worse for impoverished Native Americans and other sections of working people fighting for their rights.



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