



Protests on the Prairie:

Dakota Access Pipeline (DAPL) Protest August 10, 2016 to March 31, 2017



North Dakota
National Guard

Impacts and Lessons



1. Hello and welcome to today's presentation. The presentation is entitled Protest on the Prairie: Dakota Access Pipeline Protest, August 10, 2016 to March 31, 2017. Impacts and Lessons.

Cody Schulz

Chairman, Morton County Commission

Disaster Recovery Chief - NDDDES



1. My name is Cody Schulz. I actually had a couple of roles related to this protest, its response, and the subsequent recovery from it. In way of a biography, I was born and raised in Morton County ND, and I am currently the chief elected official in the county, serving as Chairman of the County Commission for the past 2 years, and the commission itself for the last 5 years. Additionally, but separately, I am also the Disaster Recovery Chief for the State of ND's Department of Emergency Services. I have been with NDDDES for the past 10 years.

Presentation Overview

1. Setting the Stage – Background, contributing factors, and challenges
2. Phases of the Protest
 - I. **Forming** – August 10, 2016 to September 3, 2016 – Protest get legs and people start to arrive. Some illegal activity, but rarely violence and tone was not overtly antagonistic.
 - II. **Transforming** – September 3, 2016 to October 22, 2016 – Violence escalates. Social media narrative and false information grow.
 - III. **Mature** – October 22, 2016 to December 4, 2016 – Most chaotic, fragile, violent and confrontational. A number of riot situations erupted.
 - IV. **Maintaining** – December 4, 2016 to January 20, 2017 – A lot of uncertainty due to upcoming transition of Presidential administrations.
 - V. **Concluding** – January 20, 2017 to March 31, 2017 – Chaotic time with a number of issues at play including potential flooding.
3. Lessons Learned

1. First an overview of today's presentation, what I will be discussing today will begin with:
 - a. Setting the Stage – Background, contributing factors, and challenges
 - b. Phases of the Protest
 - i. **Forming** – August 10, 2016 to September 3, 2016 – Protest get legs and people start to arrive. Some illegal activity, but rarely violence and tone was not overtly antagonistic.
 - ii. **Transforming** – September 3, 2016 to October 22, 2016 – Violence escalates. Social media narrative and false information grow.
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 - iv. **Maintaining** – December 4, 2016 to January 20, 2017 – A lot of uncertainty due to upcoming transition of Presidential administrations.
 - v. **Concluding** – January 20, 2017 to March 31, 2017 – Chaotic time with a number of issues at play including potential flooding.
 - c. Lessons Learned – I will discuss some of these lessons learned as I go through the presentation, but I will also, recap and focus more directly on them at the end.



Setting The Stage

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Background

- Dakota Access Pipeline (DAPL) – 1,172 Mile, 30” diameter pipeline crossing 4 States
 - Crosses the Missouri River ½ mile north of the Standing Rock Sioux Indian Reservation
- Morton County = Large Geographic, Small Population Midwestern County
- Many legal issues to deal with at the federal level
 - National Environmental Policy Act (NEPA)
 - National Historic Preservation Act (NHPA)
 - Fort Laramie Treaties of 1851 and 1868
- US Army Corp of Engineers, private, ETP, and reservation land

1. Background – what you need to know.
 - a. The Dakota Access Pipeline (DAPL) – 1,172 Mile, 30” diameter crude oil pipeline that crosses 4 States. And it crosses the Missouri River about ½ mile north of the Standing Rock Sioux Indian Reservation.
 - b. Morton County is a large County geographically (nearly 2,000 square miles) but relatively small in population (32,000 residents). It is primarily an agricultural community whose largest city is Mandan, which has about 21,000 residents and is 35 miles north of the protest site. Additionally, Morton County is one of the leading Counties in the Midwest in the production of wind energy.
 - c. There were many complex legal issues related to this pipeline permitting at the federal level. They include the:
 - i. National Environmental Policy Act (NEPA)
 - ii. National Historic Preservation Act (NHPA)
 - iii. Fort Laramie Treaties of 1851 and 1868
 - d. Additionally, the situation was made more complex (and sometimes more dangerous) because the myriad of land ownership and jurisdictional issues. For example we were dealing with property owned by the U.S. Army Corps of Engineers, private land owners, the pipeline company, and the Standing Rock Sioux Tribe.

Contributing Factors

- Federal Government – Fed easement, Fed land, Fed recognized Tribe
- Energy Infrastructure development in general
- Sociopolitical & Socioeconomic Issues
 - Global warming, environmental justice, wealth gap, etc.
 - Engagement of other groups such as Occupy Wall Street and Black Lives Matter
- Tribal Sovereignty
 - Issues regarding Fort Laramie Treaties of 1851 and 1868
- Social Media and Anonymous funding
- Elections – Both President and ND Governor changes

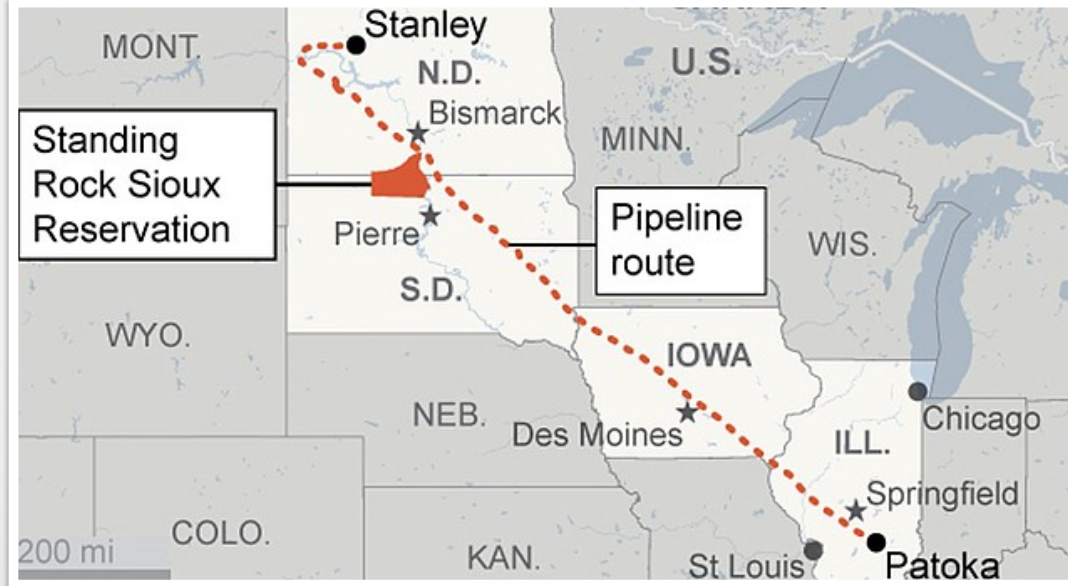
1. There were certainly a number of contributing factors that played into the events that transpired during the DAPL protest, as well as a number of issues that motivated the individuals that took part. These factors include:
 - a. The Federal Government unfortunately was part of the overall problem, not the solution. This protest was largely about a Federal easement, 2 of the main protest camps were on Federal land, and one of the key stakeholders was a federally recognized Indian Tribe. But the Federal government did virtually nothing to aid in a peaceful conclusion to the event.
 - b. Energy Infrastructure development in general is a cause for protest to a significant and seemingly growing number of folks around the country and the world.
 - c. Sociopolitical & Socioeconomic Issues were also motivating factors for some of the protesters at the DAPL protest camps.
 - i. Issues like Global warming, environmental justice, wealth gap, etc.
 - ii. Additionally, other movements engaged such as Occupy Wall Street and Black Lives Matter
 - d. Tribal Sovereignty was another consideration as there were:
 - i. Issues regarding Fort Laramie Treaties of 1851 and 1868
 - e. Social Media and Anonymous funding also played a major role in the information that was put out to the world (often times inaccurate and other times purposefully misleading and untruthful). Anonymous funding through services like GoFund me, paypal, etc. provided much of the funding to keep the protest camps going, but they also created an environment for fraud, where people falsely claimed to be part of the movement just to garner donations. Also, this set up creates an environment with very little accountability, and I have seen quite a bit of infighting and accusations among members of the movement as to the fiscal accountability.
 - f. Elections – Both President and ND Governor changes also added a layer of complexity and created a number of flashpoints.

Unique Challenges

- Very Rural Setting
- Lack of Cellular Coverage at/near the main protest sites
- Lack of Public Safety Radio Coverage at/near the main protest sites
- Jurisdictional Border
- Social Media and Anonymous funding
- Elections – Both President and ND Governor changes
- Lack of formal leadership or organization within protest camps

1. There were also a great number of unique challenges associated with this protest. They include:
 - a. Very Rural Setting – The site is 35 miles from Mandan and about five miles from the small city of Cannonball (population 875) on the Standing Rock reservation.
 - b. Lack of Cellular Coverage at/near the main protest sites
 - c. Lack of Public Safety Radio Coverage at/near the main protest sites
 - d. Jurisdictional Border – as I mentioned, this all took place right on the border of Morton County and the Standing Rock reservation. In fact, the two smaller camps of the three were on the reservation and the large camp was in Morton County
 - e. Social Media and Anonymous funding as I mentioned in the previous slide.
 - f. Elections – Both President and ND Governor changes
 - g. Lack of formal leadership or organization within protest camps. This was one of the more frustrating challenges, because we absolutely wanted to talk to someone in charge or at least someone who had some influence. However, because Standing Rock's elected leaders refused to take a formal role in the camps that made things difficult. Additionally, because people would come and go, there was really no consistency to communications.

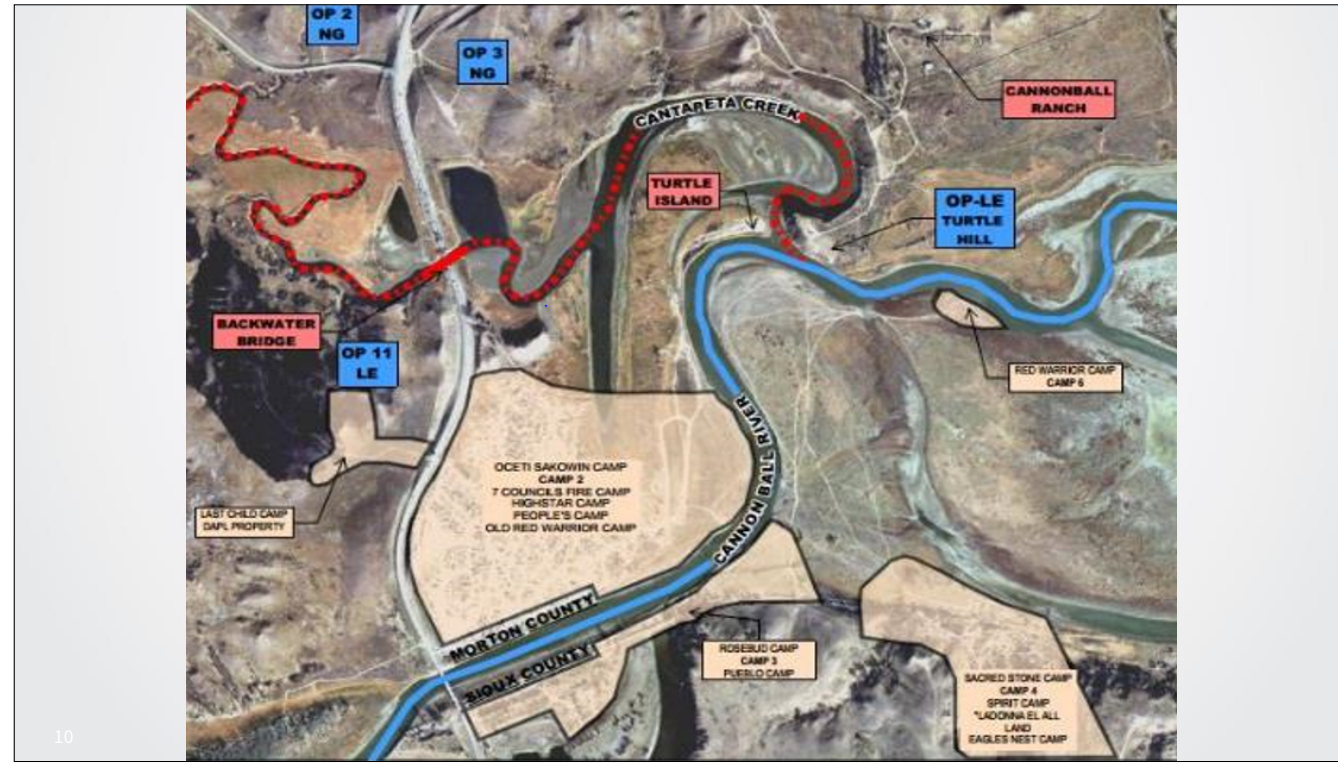
DAPL Route



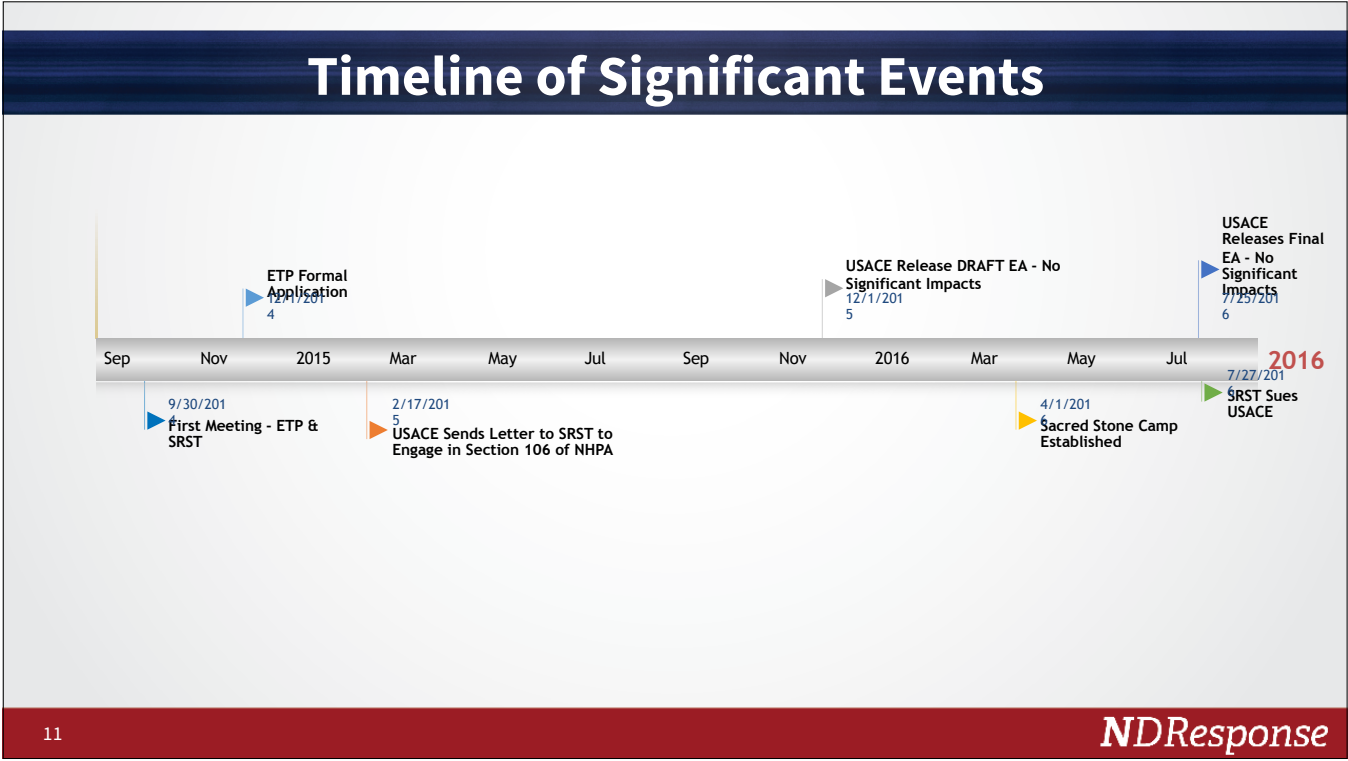
1. This slide shows the entire route of the 1,172 pipeline that routes from Stanly ND to Patoka IL.



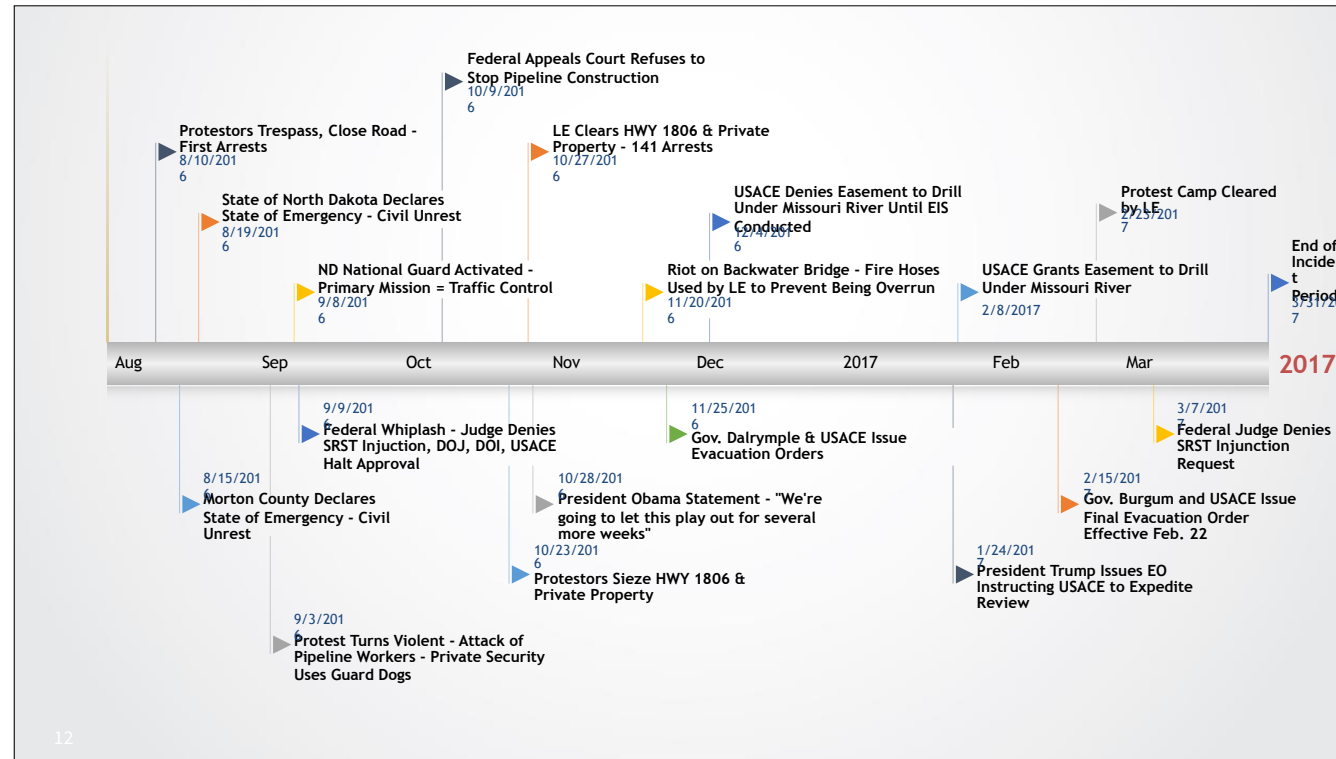
1. This slide is just a zoomed in map that shows the pipeline route, and the Missouri River crossing.



1. One last map. This one shows the locations of the three main protest camps and illustrates some of the jurisdictional challenges I mentioned earlier. Note that:
 - a. The largest of the camps – the Oceti Sakowin or Seven Council Fires camp was located on Corps of Engineers property in Morton County
 - b. Just south of that was the Rosebud camp which was situated on Corps of Engineers property on the Standing Rock reservation
 - c. Just east of Rosebud was the Sacred Stone camp which was situated on property owned by the Standing Rock Sioux Tribe



1. This timeline of significant events lays out how things unfolded.
 - a. September 30 2014 was the first meeting between Standing Rock and Energy Transfer Partners
 - b. February of 2015 the Corps of Engineers sends a letter to Standing Rock to engage in the National Historical Preservation Act Process
 - c. April of 2016 the Sacred Stone Camp was established
 - d. July 25 2016 the Corps published its finding of no significant impact
 - e. July 27 2016 Standing Rock sues the Corps



1. Continuing the timeline
 - a. August 10 protesters trespass on private property and close Highway 1806
 - b. August 15 Morton County declares an emergency
 - c. August 19 the state declares and emergency
 - d. September 3 Protest turns violent – I will cover this more in depth as we go
 - e. September 8 the National Guard was called in for traffic control
 - f. October 23 protesters seize private property and Highway 1806
 - g. October 27 was a critical day that law enforcement cleared private property and the roadway
 - h. November 20 was significant as a riot occurred on the backwater bridge and fire hoses were used control the riot. I will cover this in some depth as well.
 - i. December 4 the Corps denies the final easement needed to drill under the river and says it will conduct an Environmental impact statement
 - j. February 8 2017 the Corps, now under President Trump issues the final easement
 - k. February 23 all protest camps were cleared of protesters
 - l. March 31 the incident ends and traffic is fully restored on Highway 1806

Statistical BLUF

- Camp Population (All 3) = 1,500 to 8,000
- Response – Physical Structures
 - State Emergency Operations Center (SEOC) Bismarck – Unified Command Level
 - Tactical Operations Center (TOC) Mandan – Operational/Strategic Level
 - Forward Operating Base (FOB) – Operational/Tactical Level
- Responding LE & EM Entities = 140
- Responding LE, EM, & NG Personnel = 3,150 (1,650 LE & EM, 1,500 NG)
- States Responding = 11
- Arrests = 761
- Garbage Removed = 9.8 million pounds (4,900 tons)
- Total Costs = \$38 million

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1. To give some context to this event and to give you an idea of the size and scope of what happened I want offer the following statistics and give you the bottom line up front.
 - a. Camp Population (All 3) = 1,500 to 8,000
 - b. Response – Physical Structures
 - i. State Emergency Operations Center (SEOC) Bismarck – Unified Command Level
 - ii. Tactical Operations Center (TOC) Mandan – Operational/Strategic Level
 - iii. Forward Operating Base (FOB) – Operational/Tactical Level. This was in essence small tent city built at one of Morton County’s campgrounds about 7 miles north of the protest camps. As winter conditions moved in we needed a place for people to warm up, rest, eat, and use the bathroom.
 - c. Responding LE & EM Entities = 140
 - d. Responding LE & EM Personnel = 3,150 (1,650 LE & EM, 1,500 NG)
 - e. States Responding = 11
 - f. Arrests = 761
 - g. Garbage Removed = 9.8 million pounds (4,900 tons)
 - h. Total Costs = \$38 million



Phase 1: Forming



STOP THE BLACK SNAKE

**April 1, 2016
Sacred Stones Camp
established to protest
DAPL**

NO DAKOTA ACCESS PIPELINE

© 2016
/MARTY
Two Bulls
m2bulls.com

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1. The formal protest really began on April 1, 2016 when the Sacred Stone camp opened for the purpose of protesting the pipeline. This really started out as an incredible thing with many bands of Lakota people coming together for a common cause. It was peaceful and did get some local media coverage as well as some documentary film makers reporting on the camp and the cause. It was explained to me that the Lakota people's ancestors warned of a Big Black Snake that would come and it would mark the end the world.

LE and Protesters Work Together



1. As I mentioned this protest did start out peaceful and lawful. In fact, on a number of occasions, law enforcement from the ND Highway Patrol and the Morton County Sheriff's office closed Highway 1806 at the protesters request so they could have marches or horseback rides from the camp north to where the pipeline crossed the highway.



**Banners and
Flags Cover
Fence Lines
and Gates**

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1. This slide just shows some of the flags, signs, banners and gatherings that started popping up at the spot where the pipeline crosses highway 1806.

Protesters Set Up Tepees On The Approaches – August 10, 2016



1. This is an aerial view of a tepee being erected in the path of the contractor's ingress and egress.

Horses Used to Charge Law Enforcement



video

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1. Between August 10 and 15 things started to become increasingly volatile. The MCSD and the ND Highway Patrol responded to private security reports that protesters were hampering construction activities. Numerous arrests were made and law enforcement was put in a number of situations in which they had real concern for their physical safety. This video gives you an idea of one of the first really aggressive actions taken against law enforcement as their security line was charged by riders on horseback. [PLAY VIDEO](#).



33 sworn deputies

2,000 Square Miles

1,100 miles of gravel road

32,000 county population



1. I wanted to share some numbers with you just to give an understanding of how it became pretty clear pretty quickly that Morton County was going to need assistance dealing with this escalating situation. The county has only 33 sworn deputies, to cover an area nearly 2,000 square miles. The county needed help with manpower. I also, want to take a moment to point something out that I think is very important at this early juncture of the presentation. While it is true that everyone camping in the protest camps were doing so illegally because they were trespassing, it was definitely a numerical minority of protesters that were eager or willing to commit other crimes. At any given time I would estimate that only 20% were willing to commit crimes, and only 20% of that group were willing to commit dangerous or violent acts. A majority of protesters did not want to involve themselves in crimes beyond the trespassing I mentioned. But I do have to point out what those percentages mean in raw numbers. For a bulk of the protest the average camp populations was about 2,000, which means at any given time approximately 400 were potentially willing to commit criminal acts and 80 were willing to potentially commit dangerous or violent criminal acts. And at peak population the camp was 4 times larger.

Emergency Declarations

Morton County – Aug. 15, 2016



EMERGENCY DECLARATION DAKOTA ACCESS PIPELINE CIVIL UNREST

August 15, 2016

WHEREAS, the Morton County Board of Commissioners recognizes that due to the civil unrest occurring at the location of the Dakota Access Pipeline construction site which will require extraordinary manpower and other resource expenditures; and


WHEREAS, the impact of civil unrest could threaten the health, well-being, and safety of responders and the public; and

and WHEREAS, all available resources remain committed to protecting life and property;

and WHEREAS, the cost of response may be in excess of available budgeted resources; and

NOW, THEREFORE, BE IT RESOLVED, that the Morton County Board of Commissioners declares an Emergency and implements its emergency plans and processes in response to anticipated ongoing civil unrest.

DATED at Mandan, North Dakota this 15th day of August, 2016.


Cody Scholz, Chairman
Morton County Commission

State of ND – Aug. 19, 2016



EXECUTIVE ORDER 78.01

1. I, JAMES E. HEALING, Governor of the State of North Dakota, do hereby declare a state of emergency in the State of North Dakota.

2. WHEREAS, the emergency is caused by the civil unrest occurring at the location of the Dakota Access Pipeline construction site which will require extraordinary manpower and other resource expenditures; and

3. WHEREAS, the impact of civil unrest could threaten the health, well-being, and safety of responders and the public; and

4. WHEREAS, all available resources remain committed to protecting life and property; and

5. WHEREAS, the cost of response may be in excess of available budgeted resources; and

NOW, THEREFORE, BE IT RESOLVED, that the State of North Dakota declares a state of emergency and implements its emergency plans and processes in response to anticipated ongoing civil unrest.

DATED at Bismarck, North Dakota this 19th day of August, 2016.


James E. Healing, Governor

Executive Order 78.01

Page 1

The undersigned hereby declares a state of emergency in the State of North Dakota.

1. The emergency is caused by the civil unrest occurring at the location of the Dakota Access Pipeline construction site which will require extraordinary manpower and other resource expenditures; and

2. WHEREAS, the impact of civil unrest could threaten the health, well-being, and safety of responders and the public; and

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4. WHEREAS, the cost of response may be in excess of available budgeted resources; and

NOW, THEREFORE, BE IT RESOLVED, that the State of North Dakota declares a state of emergency and implements its emergency plans and processes in response to anticipated ongoing civil unrest.

DATED at Bismarck, North Dakota this 19th day of August, 2016.


James E. Healing, Governor


James E. Healing, Governor

1. Based on the size, scope, and escalating nature of the situation, I signed an emergency declaration for Morton County on August 15. The governor followed suit and signed an emergency declaration for the State on August 19.

County Commission Give Protesters The Mic

video



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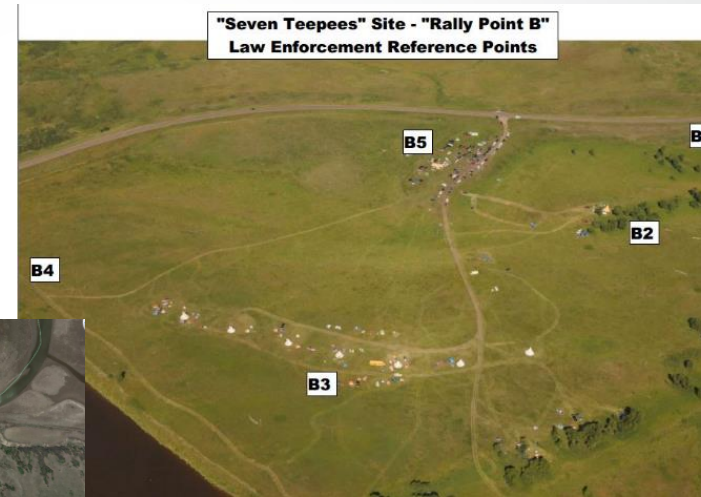
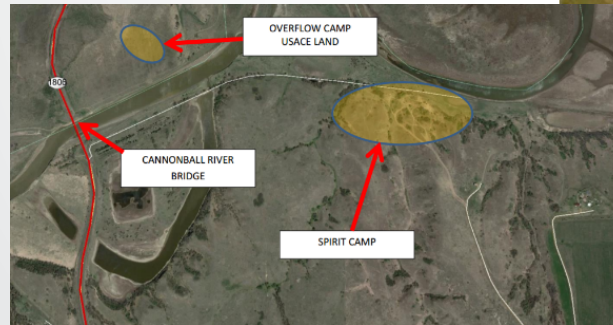
1. Because we thought it was important to allow the public a voice, and give the County and State an opportunity to explain the public safety issues related to the marches and horseback riders on the roadway of Highway 1806, and the reason for the subsequent closure of the road, the Morton County Commission allowed public comment at our August 23 meeting. [PLAY VIDEO](#).

Vandalized Machinery



1. Fairly early on, in late August, law enforcement started getting a number of reports of vandalized construction equipment. But we also started getting reports from residents living in the area of vandalized vehicles, agricultural buildings and equipment, as well as downed fences and missing hay, property of Morton County farmers and ranchers, not the pipeline company.

Main Camp Begins August 16, 2016



1. What was one called “overflow” camp would become the main camp – This is the camp referred to as the Oceti Sakowin or Seven Council Fires camp. It is located just north of the Cannonball River in Morton County.



**Sleeping Dragons used
to attach to DAPL
equipment
August 31, 2016**

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The slide features four photographs documenting a protest tactic. The top-left photo shows a person in a red and white outfit standing on a yellow excavator's arm. The top-right photo is a close-up of a person with a red headband and a grey jacket, secured to a metal structure. The bottom-left photo shows a person in a brown hoodie and blue cap sitting on a yellow piece of machinery. The bottom-right photo shows two people, one in a brown jacket and another in a grey jacket, being secured to a yellow excavator's arm with ropes and equipment. The text 'Sleeping Dragons used to attach to DAPL equipment August 31, 2016' is written in red. The slide number '25' is in the bottom left, and the 'NDResponse' logo is in the bottom right.

1. This slide shows one of the tactics used throughout the protest of attaching individuals to construction equipment using a device known as a sleeping dragon. This practice is dangerous for many reasons. The obvious is the equipment could injure the person, but also the process to cut these individuals off is quite dangerous to law enforcement as well even when properly trained. After this began, law enforcement formed trained “cut teams” to specifically respond to this tactic.

Sleeping Dragons



1. Another slide with a deputy displaying the devices.



Phase 2: Transforming

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1. Phase 2, Transforming. This phase of the protest we started to see even further escalation, along with increase criminal activity and pretty significant violence. Additionally, protesters stepped up their public information engagement, much of the information was inaccurate or intentionally false. One of the more disappointing things to me was that a public relations firm from the west coast started putting out information on behalf of Standing Rock. The information was unfortunately not always accurate and in some cases enflamed the situations. I am not sure the firm was always operating for the best interest of the Tribe.

Protesters Attack Workers – DAPL Security Uses Dogs

video



28

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1. On September 3, there was a significant escalation when a large group of protesters tore down a fence and physically attacked a number of DAPL construction and security personnel. Unfortunately, DAPL security responded by allowing security guard dogs to respond. This incident got a lot of play in the media and in media circles was portrayed as security or police attacking protesters. However, this incident was on private property and was started by the protesters; and construction and security workers were fearful for their life and safety. At this early stage in the protest there was only a law enforcement presence in the way of roaming patrols, and they did not get on seen this day until the incident was virtually over. PLAY VIDEO.

Protesters Attack Workers – DAPL Security Uses Dogs



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1. This picture just illustrates what I said before about some protesters not interested in violence. You can see this pipeline security officer is being attacked by a number of protesters, some with sticks and fence posts, but there is another protester trying to protect him, the tall man right behind him. This was one of the first significant incidents that devolved into a riot. I want to give you fair warning that this next slide is heartbreaking and graphic.

<https://www.theatlantic.com/photo/2016/09/tempers-flare-during-protest-against-the-dakota-access-pipeline/498809/>

Social Media Propaganda



- This sad photo was shared thousands of times on social media with the narrative that dogs were used to attack children. It went viral after a Los Angeles Catholic Worker organization shared it on their digital platforms linking it to the DAPL protest.
- The photo, however, is from a [June 26, 2012 NY Daily News report about a dog attack that occurred in Texas](#).

1. This sad photo was shared thousands of times on social media with the narrative that dogs were used to attack children. It went viral after a Los Angeles Catholic Worker organization shared it on their digital platforms linking it to the DAPL protest. The photo, however, is from a [June 26, 2012 NY Daily News report about a dog attack that occurred in Texas](#). There were dozens of instances of this type of fabricated story or narrative.

Protest Gains Momentum

- Nation wide call for protests near Standing Rock
- Protest camp on US Army Corps land north of the reservation grows
- Initial numbers were between 2,000 - 2,500 protesters



1. After how the September 3 incident was portrayed on social media, and how that social media portrayal shaped the narrative in the more traditional media, the protest gained momentum. Additionally, September 9 was the date of the United Tribes Powwow in Bismarck as well as an expected ruling on an injunction request to stop the pipeline. The confluence of all of these events gave law enforcement great concern.

Vandalism Continues – Sept. 6, 2016

**Presidential
Candidate Jill
Stein**



1. Vandalism continued, even drawing Presidential candidate Jill Stein. A warrant was issued for Stein and she later pled guilty to misdemeanor criminal mischief for the act.

North Dakota National Guard Called In – Sept. 8



1. As I noted in the timeline, the North Dakota National Guard was called up on September 8, with the primary mission of traffic control on highway 1806, which by this time had been completely closed for public safety concerns of people, horses, cars, and tents on or directly adjacent to the roadway. The Guard manned a number of traffic control points guiding travelers through the detour. A great deal of thought and consideration went into activating the Guard due to the history between the Army and the Sioux people of the Dakotas. However, the Guard's mission was initially far away from the protest site and traffic control and logistical in nature and law enforcement simply needed the additional manpower.



NGND Assists in Various Ways



- As the protest grew and riot situations increased, the National Guard's mission grew. As these units were called upon they all had to go through crowd and riot control training. Through the entire operation the Guard offered nearly 1,500 Soldiers and Airmen to support law enforcement. Unlike other agencies who this is their primary job, the Guard is part time military doing a part time skill for a full time response. The Soldiers and Airmen were asked to integrate with Law Enforcement, Federal and state agencies and did so seamlessly and with the utmost professionalism.

Protesters Cause Numerous Lockdowns at Courthouse and LEC

video



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1. After arrests were made it was common for protests to pop up at the law enforcement center that housed the jail. When this happened, protocol required locking the building down. PLAY VIDEO.

Need grows for Public Information Officers (PIO)

Over 4,000 media engagements via email, in person, telephone, on camera



The PIO:

- Represents and advises the Incident Command and Operations Chief.
- Manages on-scene media and public inquiries.
- Works with audiences and partners to assure unified messaging.

1. The media inquiries and requests for information and interviews was intense with over 4,000 media engagements throughout the event. Prior to the protests Morton County did not even have a Public Information Officer, and very early on the County added two PIOs, one on loan from the ND Association of Counties. While Morton County probably had the heaviest load, PIOs from the ND Highway Patrol, ND Department of Emergency Services, and the ND National Guard were also stretched very thin.

Sept. 16 – Protest – ND Capitol Grounds



1. On September 16, Protesters for the first time came to Bismarck and the State Capital. This protest was what we hoped and wished the larger movement would evolve into. It was lawful and completely non-violent. Additionally, all encounters with law enforcement were positive and not antagonistic.

North Camp Built on Private Property – End of Sept.



Protesters set up a small north camp along and on HWY 1806 in the designated path of the pipeline.

1. As time moved into the end of September, the protesters set up another small camp just north of their main camp and directly in the path of the pipeline.

Drones Created Risk – TFR put in place Oct. 8



video

1. Another risk emerged as a small group of protesters started using drones not only to capture video, but also in a fashion that created a danger to law enforcement and law enforcement aircraft in the area. **PLAY VIDEO.** As a result, the FAA put a temporary flight restriction in place on October 8. In addition to the drones, another problem that was reported by law enforcement aircraft in the area was the use of lasers directed at the aircraft. This is not only a significant safety hazard, but also a felony.

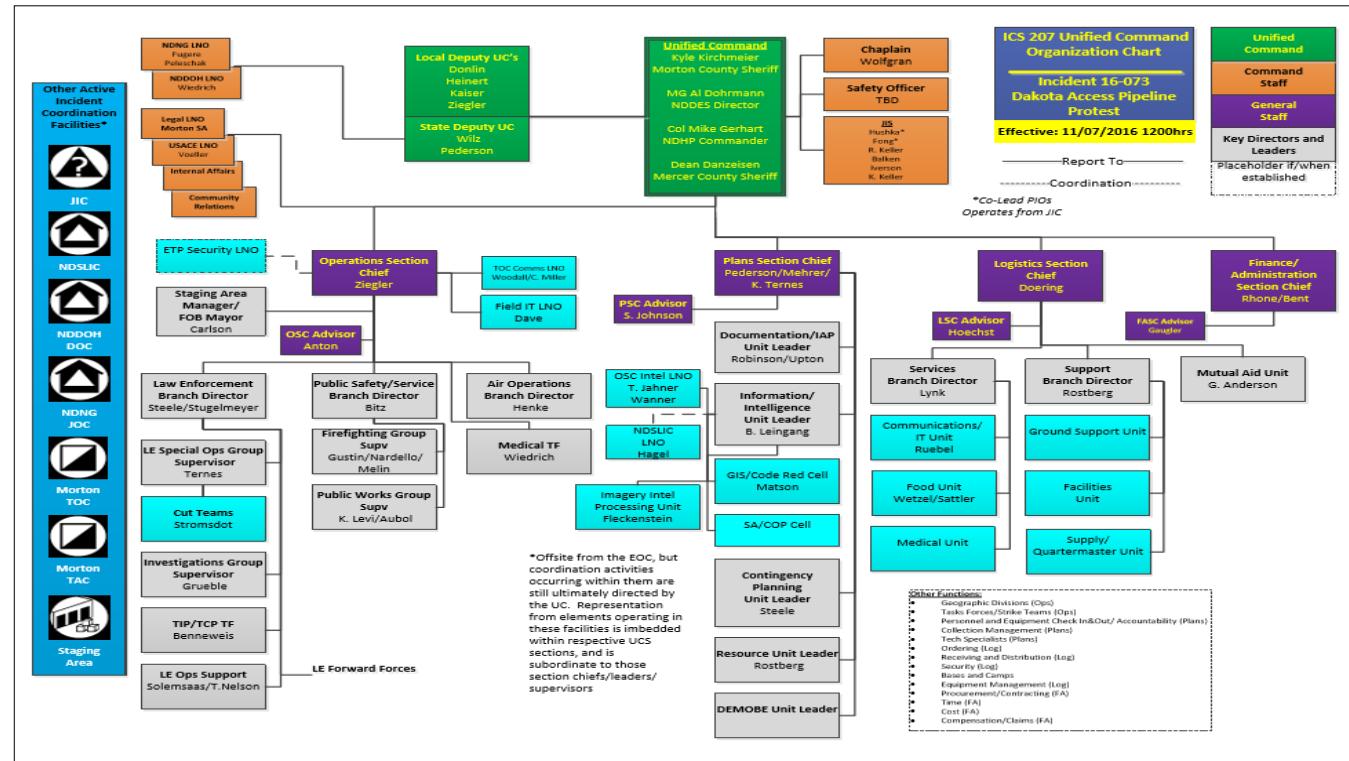
Unified Command Established – Oct. 4

October 2016

- ➡ 4th: State/Local Unified Command (UC) formally established
- Morton County Sheriff, NDDDES Director, and NDHP Superintendent
 - Morton County EOC transitions to the Tactical Operations Center
 - State EOC houses the UC EOC



1. I made mention of the Unified Command previously, but this command was not officially established until October 4, and this is one of the “lessons learned”, do this much sooner, as you all know, the ISC structure and a Unified Command makes everything from command decisions to communications to logistics more efficient and accountable. Once established the Unified Command was filled by the Morton County Sheriff, the ND Highway Patrol Superintendent, and the Director of the ND Department of Emergency Services.



1. Here is the ISC 207 – the incident organizational chart

UC Meetings moved to State EOC from Morton County LEC



1. Once the Unified Command was officially established meeting schedules and locations as well as intelligence, and incident action plans became more efficient and formalized. Unified Command meetings were held at the State Emergency Operations Center in Bismarck.

Journalists Detained by Protesters Oct. 18

WATCH: FrackNation film crew 'feared for our lives' at protest camp

By Mike Nowatzki and Amy Dalrymple on Oct 19, 2016 at 5:17 p.m.



1 / 3

BISMARCK -- A film crew covering the Dakota Access Pipeline protests says they were accosted by protesters and prevented from leaving the camp in southern Morton County when they started asking questions about how protesters were using fossil fuels.

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1. As October passed, the protest camp became more and more insular. There was in effect no law and order in the camps since early September, because law enforcement leaders feared any attempt to enter the camp would escalate the situation and would be dangerous to officer safety. Protesters appointed their own security and started even limiting access to the public that wanted to enter. They even required journalists to sign in and get a protester issued press pass. Remember that the protest camp is situated on public property owned by the Corps of engineers (land on which camping is prohibited). Also, if media did come to the camp that was not completely sympathetic to the cause or the tactics of the protesters, they were often made to leave. On October 18 a film crew was actually detained because a group of protesters wanted them to turn over their footage. They were only allowed to leave when they called 911 and nearly a dozen squad cars responded, but only to the gate, they did not enter.

Livestock Killed and Missing

More cattle reported shot near pipeline protest site in Sioux County

By Forum News Service on Oct 18, 2016 at 10:50 a.m.



SIoux COUNTY, N.D. - The Sioux County Sheriff's Office is investigating more reports of cattle that were shot this week near the Dakota Access Pipeline protest camp.

One cow was shot and another cow had two arrows sticking out of its ribcage, said Sioux County Sheriff Frank Landels.

The animals, discovered Monday, Oct. 17, appeared to have been shot recently and were treated by a veterinarian, Landels said.

1. Also in late October we started receiving a number of reports from citizens living in the area of the camps. Farmers and ranchers were fearing for their livelihoods when they started discovering slaughtered and missing livestock. The ND Stockman's Association and the Sioux County Sheriff's Department investigated two cases near Cannonball, N.D. One involved a dead saddle horse, four dead cows and more than 30 head of missing cattle. The other involves three dead bison. In both cases, some animals appeared to have been butchered.
2. <http://www.westfargopioneer.com/news/4139187-more-cattle-reported-shot-near-pipeline-protest-site-sioux-county>

ND Farmers speak out about DAPL Protests



video

45

NDResponse

1. AgWeek TV ran a story about the protest's effect on local farmers and ranchers. [PLAY VIDEO](#).

Poaching and Animal Cruelty

video



1. On December 21 the ND Game and Fish Department issued a news release with a photo seeking information on two protesters skinning a deer in one of the protest camps. Following this release, Game and Fish received information on a video of protesters retrieving a live deer from the Cannonball River and killing it. Game and Fish released a copy of this video on Jan. 5, 2017, which generated a wave of negative responses due to the cruelty displayed. On March 9, 2017 four men were charged with poaching from two separate incidents. Please be aware this video is graphic and disturbing. **PLAY VIDEO.**

Court Filings and Threats

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION

Civil No. 1:16-CV-00406

Vanessa Dundon, Jade Kalikolohuaokalani,
Wool, Crystal Wilson, David Demo, Guy
Dullknife III, Mariah Marie Bruce, Frank
Eman, Isreal Hoagland-Lynn, and Noah
Michael Treanor,

on behalf of themselves and all similarly-
situated persons,

Plaintiffs,

vs.

Kyle Kirchmeier, Morton County, City of
Mandan, Jason Ziegler, Stutsman County,
Chad Kaiser, and Does 1-100,

Defendants.

AFFIDAVIT OF
CODY SHULZ

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF BURLEIGH)

Being duly sworn, Cody Schulz testifies:

1. I am a member of the Morton County Commission, and have held this office since
December of 2012. Since January 14, 2016, I have served as the Chairman of the Morton
County Commission. I make this affidavit upon personal knowledge.

2. I have received numerous threats against my safety and against my life from individuals
sympathetic to the cause of people protesting the Dakota Access Pipeline (DAPL) as well
as threats from DAPL protesters themselves (collectively, "protesters"). Those threats

have been transmitted to me through social media, cellular telephone, cellular telephone
voicemail, and through my email.

3. I have also been the victim of "doxing" by protesters. The instances of doxing includes
protesters publishing on the internet my parent's home phone number and home address,
as well as my cell phone number, personal email address and home address. Attached to
this affidavit as **Exhibit 1** is a true and correct copy of an instance of doxing where my
parent's home number and address are published and my name and personal email address
are published.

4. On November 14, 2016, my online credit card account was accessed, and changes were
made, but no fraudulent charges occurred. Given the timing, I suspect the hacking was
committed by a protester.

5. Attached to this affidavit as **Exhibits 2, 3, & 4** are true and correct copies of social media
postings where protesters threaten my life and my safety, including threats and invitations
to purge me from the earth, and threats to use anthrax and mob justice against me.

6. Attached to this affidavits as **Exhibits 5 & 6** are true and correct copies of email threats I
received in September and October of 2016, including a threat to execute me and an implied
threat stating "your day is coming...you better watch your ass."

7. Attached to this affidavit on a disc as **Exhibit 7** is an audio file in _____ format
containing a true and correct recording of cellular telephone voicemail message I received
from a protester in which actual threats are made against my physical safety and against
my life.

Dated this _____ day of January, 2017.

1. During this period many elected officials and law enforcement officers received direct threats of violence or death. Here is an affidavit I filed in federal court that itemizes some of the threats that I received. The purpose for the filing was in support of keeping the names of law enforcement officers out of certain public filings.

Hundred of Explicit Threats

Shoot those fucking assholes. Fuck tha police.

Yesterday at 10:34 PM · Like

Kill the cops less of them plus they deserve it

Like · Reply · August 20 at 12:36am

I'll kill that fucken peace of shit white basterd..we coming to kill.they better b ready to die Cuz we coming

9 hours ago · Like

Every one of these cops have familys. Put a name to a face on camera track them down year later. The pipe line owners have family. They must be stoped. Make there family pay

21 minutes ago · Like · 3 · Reply

Good! Maybe the plane will crash sending many MANY FUCKED UP WHITE PEOPLE TO THEIR HORRIBLE DEATHS!! 🇺🇸 HOW MANY WHITE PEOPLE HAVE OPPRESSED & KILLED INDIGENOUS PEOPLE'S IN OUR NATION'S HISTORY??? 🇺🇸

14 minutes ago · Like · 1 · Reply

Now every one of these cops are to be hung by we the people per the constitution ! They are a domestic threat to 318 million we the people, they are the Thugs of the Tyrants. They are ALL criminals now ! WE THE PEOPLE RISE UP AND HANG THEM ALL PER THE CONSTITUTION NOW BEFORE ITS TO LATE !

3 hours ago · Like · 38 · Reply

48

NDResponse

1. Here is an example of some of the threats that were posted on various social media accounts. The number of threats was truly mind boggling.

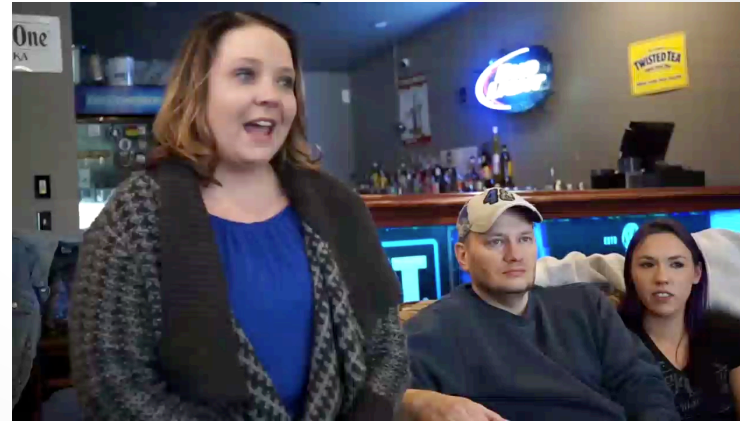
Terrorizing via social media video



#CopsLookBetterDead

When the police are bearing and killing mean and women who went to war for this country it's time to hold them accountable, they need to answer for their brutality and disregard for Human Rights I'm happy that as white people you never have to experience such injustice but as American Citizens we should never stand by while police abuse their authority.

#PutSomeBulletsInTheirHeads



49

1. Unfortunately, elected officials and law enforcement weren't the only people receiving threats. Our families and many people that was outwardly supportive of law enforcement were also receiving threats. PLAY VIDEO.

Alexander [REDACTED]
 Lt. [REDACTED] Bismarck PD and
 his wife [REDACTED] along with his
 sister [REDACTED]
 [REDACTED] of Bismarck PD
 [REDACTED] of Bismarck PD
 #nodapl #nopipeline
 #Istandwithstandingrock
 #mniwiconi #wewillfindyou
 #mortoncountysheriffisajoke
 2 hours ago · Edited · Like · Reply

Doxing examples

[REDACTED]

I'm compiling all their personal information
 and putting it out on a public forum to be
 shared to your hearts content.
 23 minutes ago · Like · 13 · Reply

[REDACTED]

Please let us know.
 14 minutes ago · Like · 1 · Reply

[REDACTED] Write a reply...

[REDACTED] shared [REDACTED] live video.
 5 mins · [REDACTED]

[REDACTED] the gentleman speaking now just informed us that each
 one of these pigs that show tomorrow will have ALL of their personal
 information duped on to Facebook and other places

Alexander [REDACTED]
 His significant other [REDACTED]

[REDACTED]

Chris [REDACTED]

1. Doxing – a new term to emerge – which means to search for and publish private or identifying information about (a particular individual) on the Internet, typically with malicious intent, was also a tactic that was employed by protesters. We had a number of law enforcement officers whose address, phone number, spouse and childrens names and pictures were circulated on social media with direct and indirect threats attached. My mother and father’s phone number was made public with instructions to call them.

A sampling of voicemails

Warning - explicit
content

Positive call

audio

51

NDResponse

1. Here are a few samples of the 30,000 voicemails received by the involved agencies during the protest response.



Phase 3: Mature

52

NDResponse

1. Phase 3 – Mature. This was the most chaotic, fragile, violent and confrontational period. A number of riot situations erupted.

Common Psychology at Civil Unrest & Riot Events

1. Impulsive
2. Suggestible
3. Cautious
4. Yielders
5. Supportive
6. Resisters
7. Psychopathic

1. According to the FEMA Field Force Manual there are seven types of individuals common at civil unrest or riot events
 - a. Impulsive. These short-tempered people are the kind who are always spoiling for a fight and only need a fancied insult or a slight provocation to excite them to violence or incite others to violence.
 - b. Suggestible. People who get into the action early and are easily influenced to follow the lead of the more violent.
 - c. Cautious. Individuals who wait for the cloak of anonymity to give them courage by hiding their identity.
 - d. Yielders. Those who do not join the action until a large number of participants give the impression of universality. In other words, "Everyone is taking part, so why shouldn't I?" This was the second largest group we identified at most events.
 - e. Supportive. People who do not actively join the mob but who enjoy the show and even shout encouragement. This was probably the largest group type at any given event.
 - f. Resisters. Persons whose standards of judgment are not swayed by the emotional frenzy of the mob but who maintain level heads. They can disagree with the actions of the majority.
 - g. Psychopathic. Individuals with a pathological personality structure are angry at the world and seek to use a riotous situation as a means of getting even with society

LE Procedures for Dealing With Civil Unrest

1. Meet with event organizers to gain their cooperation and voluntary compliance.
2. Determine the history and risk of the group.
3. Check permit limitations.
4. Develop an incident action plan that identifies and assigns resources.
5. Monitor and assess crowd behavior.
6. Separate opposing factions.
7. Provide direction and expectations at roll call.
8. Isolate, arrest, and remove individual law violators as quickly as possible. Identify and track others using cameras, observation posts, or shadow teams.

1. FEMA's Field Force Manual also lays out procedures for dealing with civil unrest and riot situations. They are:
 - a. Meet with event organizers to gain their cooperation and voluntary compliance.
 - b. Determine the history and risk of the group.
 - c. Check permit limitations.
 - d. Develop an incident action plan that identifies and assigns resources.
 - e. Monitor and assess crowd behavior.
 - f. Separate opposing factions. Land owners in the area were ready to take the law into their own hands.
 - g. Provide direction and expectations at roll call.
 - h. Isolate, arrest, and remove individual law violators as quickly as possible. Identify and track others using cameras, observation posts, or shadow teams.

LE Procedures for Dealing With Civil Unrest

9. Videotape the action of officers and law violators.
10. Use amplified sound to communicate intent or to gain compliance.
11. Use low-profile tactics. Don't become the focus of the demonstration.
12. Escalate and de-escalate as behavior changes.
13. Request needed resources.
14. Put control forces in place.
15. Consider a traffic plan.
16. Disperse unlawful crowds. Arrest individuals who fail to disperse.
17. Move media to protected area.
18. If approved, deploy less lethal munitions to defend officers or to disperse crowd.

55

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1. Procedures Continued:
 - a. Videotape the action of officers and law violators.
 - b. Use amplified sound to communicate intent or to gain compliance.
 - c. Use low-profile tactics. Don't become the focus of the demonstration.
 - d. Escalate and de-escalate as behavior changes.
 - e. Request needed resources.
 - f. Put control forces in place.
 - g. Consider a traffic plan.
 - h. Disperse unlawful crowds. Arrest individuals who fail to disperse.
 - i. Move media to protected area.
 - j. If approved, deploy less lethal munitions to defend officers or to disperse crowd.

Emergency Management Assistance Compact (EMAC)

Agencies answering the initial request:

South Dakota State Patrol

State of Wisconsin

- Wisconsin State Patrol
- Dane County Sheriff's Office
- Rock County Sheriff's Office
- St. Croix County Sheriff's Office
- Marathon County Sheriff's Office
- Vilas County Sheriff's Office

State of Minnesota

- Hennepin County Sheriff's Office
- Anoka County Sheriff's Office
- Washington County Sheriff's Office

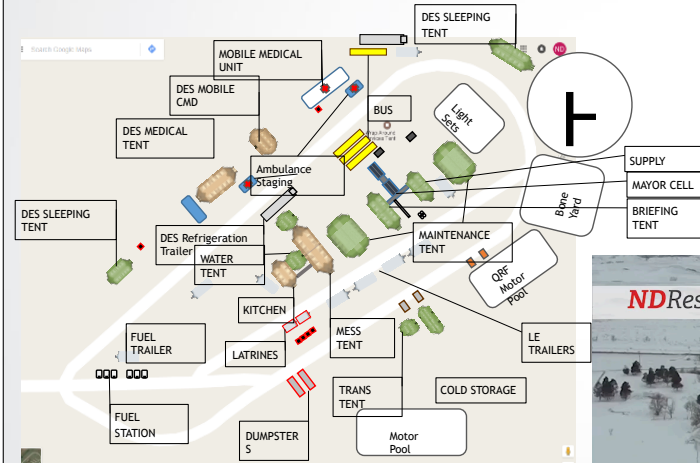
1. In total, 11 State's responded to our request for assistance made through the Emergency Management Assistance Compact (EMAC). And thankfully some of our closest neighbors were the first to respond. As you can see, South Dakota, Wisconsin, and the great state of Minnesota came to our aid. The other 8 states were Alabama, Indiana, Kentucky, Louisiana, Montana, Nebraska, Ohio, and Wyoming.

Law Enforcement Swearing in - Oct. 23



1. This slide is a photograph of one of the larger swearing in events on October 23.

Forward Operating Base (FOB)



Dept. of Health Serves
the FOB
Video



58

- I mentioned earlier that a Forward Operating Base (FOB) was established 7 miles north of the protest camps. As winter conditions moved in we needed a place for people to warm up, rest, eat, and use the bathroom. This video will give you an idea of the immensity of the logistical needs of an operation of this size that lasted over 230 days, most which were in the middle of a ND winter.

Negotiations to move protesters off of private property fail



1. On October 26, the Unified Commanders and Operations leadership tried again to negotiate with protesters to leave the roadway and ranch they had seized. The negotiations failed.



October 27, 2016

1. October 27, 2016 is one of the most important of the 233 day protest and response. This was the day that law enforcement removed protesters from the roadway and ranch they had seized. Many riots broke out and 141 arrests were made.

Decision made to move protesters off private property



1. Law enforcement was left no choice but to move the protesters south and off private property. They started around noon, consistently giving notice that the protesters needed to clear the highway and go south or be arrested. They also continually communicated that if they returned to the camp they would not be arrested.

October 27, 2016 Riot

video



62

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1. This video shows one of the confrontations between law enforcement and protesters. This takes place on a public highway. The protesters blocked the highway with vehicles, wood, hay bales, and other materials. In many cases they set the vehicles on fire. While law enforcement was clearing the private property at the North Camp, protesters were busy on the middle of the highway chaining themselves to a vehicle, erecting teepee poles, and placing large logs. Please pay special attention to the verbal communication right at the end of the video. **PLAY VIDEO**. Law enforcement eventually had the protesters cleared from that north camp around 4:15 pm. About a half hour later, protesters started DAPL construction equipment and 2 law enforcement trucks on fire.



63

NDResponse

1. More vandalism to equipment, and fires lit to block roadways.



1. Some additional photos to give you an idea of the size and scope of the operation that day.





Deadly Force Attempted by Rioters

66

NDResponse

1. This section will detail some potentially deadly force that was employed by protesters on October 27.

Shots Fired – Protester Discharged Gun



video

67

NDResponse

1. Law enforcement arrested a protester on Hwy 1806 who drew a handgun and fired 3 shots towards officers. PLAY VIDEO. The subject was taken into custody. Law enforcement officers were not injured. She has been charged with federal felony counts of civil disorder and discharging a firearm in relation to a felony crime of violence.

Stampede of Buffalo Herd



1. Also that day a number of protesters on horseback attempted to stampede a herd of buffalo at the law enforcement lines. This would have not only killed law enforcement, but also their fellow protesters. Thankful because of swift radio communication and the incredible skill of this helicopter pilot, the herd was able to be turned away from the line.

Molotov Cocktail - October 27, 2016



video

69

NDResponse

1. Later that evening law enforcement encountered protesters at the Backwater Bridge on Hwy 1806 who had placed debris on Hwy 1806 near the bridge to create a barricade and the protesters set a fire in the middle of the highway by the bridge, including two law enforcement trucks being used to close the road. Here protesters threw Molotov cocktails and rocks towards law enforcement at which point law enforcement moved back and this bridge was a line that was held for the next six months. This video was taken with the infrared camera in the Highway Patrol's fixed wing aircraft. Watch for the flying Molotov cocktail. [PLAY VIDEO](#).



1. Here are some photos of fires started including one of the burned truck from the Backwater Bridge.



Large grass fire – Oct. 30

1. A few days later on October 30, a large fire was set just a few hundred yards west of the main protest camp. This was only able to be put out after National Guard was called in with a helicopter equipped with a water bucket.

Other Serious Crimes

over a century. This plays out on the ground in numerous small ways: The same week as the election, the council voted – on recommendation from the women’s council – to banish from the camp a young man accused of attempted rape. The women paraded him around the camp calling out what trash he was, then cut off his braids and threw him out of camp.

1. Not to belabor the point, but as I mentioned the protest camps ranged from 2,000 to 8,000 people over an eight month period with absolutely no formal law and order. There was bound to be crimes occurring, but there was no one there to protect the victims. Here is one example witnessed by a Rolling Stones writer and described in his article. An attempted rape allegedly occurred and the only thing that was done was to cut the perpetrators hair and expel him from the camp.

Other Serious Crimes

DAPL Protester arrested for allegedly abusing elderly mother at Morton county camp



By Ike Walker | Posted: Fri 5:12 PM, Jan 06, 2017

73



NDResponse

1. Another example was a Las Vegas woman arrested for abusing her 82 year-old mother. An affidavit stated she restrained and abused her mother by zip tying her to a chair while sitting in her feces and urine. It went on to say that the mother was physically restrained, unattended, and unprotected for long periods and physically assaulted. Also the woman failed to clothe, feed or provide water for her mother. The mother was in the hospital for over 6 weeks.

<http://www.valleynewslive.com/content/news/409935075.html>

Celebrities Come to Support the Protest



Mark Ruffalo



Susan Sarandon



Shailene Woodley



Jesse Jackson



NDResponse

- Several celebrities visited the area during the protes. Shailene Woodley was arrested for criminal trespass and engaging in a riot. Actor Mark Ruffalo came and spoke to youth and others at the casino, encouraging them to stand up against law enforcement – demanding that Red Fawn Fallis be set free. She was the protester who is being federally charged for firing three shots at law enforcement officers.

Protest Turns into Big Business

75

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Story

\$3,126,440 of \$3.5M goal

Raised by 61,801 people in 10 months

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Created April 19, 2016

LaDonna Tamakawastewin Allard on behalf of LaDonna Brave Bull Allard

Events

FORT YATES, ND

Recent Donations

FS \$372 Friends and Owners Blind Moose Studios 53 mins ago

Share

MC \$25 Mary Collins

The Official - Sacred Stone Camp

Share

Tweet

266K shares

Story

Updates 37

Has we are the Iowanwakankashanation Sacred Stone Camp from the Standline Rock

1. The protest also turned into big business. In sum, crowdfunding sources brought in excess of \$13 million to the protest. Every direct action drove recruitment and fundraising. To this day, the donations and money are a source of fighting within the Standing Rock Sioux Tribal Government as well as the different protest groups and leaders.

From Rural to Urban – Protesters Come to Town



1. In early November, protesters began more frequently coming into Mandan and Bismarck, blocking off main downtown streets, walking on residential property as they marched to the federal building. This caused another problem for law enforcement because residents were so frustrated and angry that we became concerned about vigilantism.

ND Capitol Building Vandalized – Oct. 31



1. On Halloween night, the ND Capitol building was vandalized with oil.

Protesters Block Railroad Track – Nov. 15



78

onse

1. On November 15 another potentially catastrophic event occurred. Protesters parked along a highway west of Mandan and then proceeded to block the BNSF tracks, first with a vehicle, and then with tree branches and other debris. At the time this section of track carried over 15 full trains of crude oil each day. Thankfully the track was cleared before a disaster occurred. 28 people were arrested this day.

Blocked BNSF Railroad Track



video

79

NDResponse

1. Here is a video from that day of individuals that blocked a railroad track which could have obviously caused a massive human and environmental disaster. It also demonstrates some of what law enforcement had to deal with for 233 consecutive days. [PLAY VIDEO](#).

Police Clear Protesters from Railway



video

80

NDResponse

1. Here is a video of law enforcement clearing the track. It really demonstrates the methodical, professional and restrained nature of the operation.



November 20, 2016

81

NDResponse

1. November 20 is also one of those very noteworthy days in this event. This is the day that a very large riot broke out on the Backwater Bridge just a few hundred yards north of the main camp. A semi was used to remove barriers used to close the road and fires were started. Law enforcement had to use less than lethal munitions to control the situation. This is also the day the law enforcement used fire hoses to repel protester and control the crowd.



1. This video was taken after the semi removed one of the burnt out trucks. Please note the number of protesters on the bridge and the number of law enforcement officers. The video starts just over law enforcement and moves south over the bridges where protesters were amassed. It then ends again over law enforcement.

November 20, 2016



video

83

NDResponse

1. No doubt, the use of water was controversial. But a few things to note:
 - a. The firetrucks were initially there to put out fires the protesters started
 - b. Groups of protesters began to flank the law enforcement line
 - c. Early on law enforcement was outnumbered approximately 50 to 1 and they were very concerned about being overrun
 - d. This video gives you an understanding of the situation and law enforcement's perspective. [PLAY VIDEO](#).

Dakota Access Pipeline: Protester nearly loses arm after explosion



By **Max Blau**, CNN

Updated 9:37 AM ET, Wed November 23, 2016



Clashes at Dakota Access Pipeline site 01:47

Story highlights

Protesters and police have conflicting accounts about the cause of an explosion that maimed an activist

Construction of the Dakota Access Pipeline has been suspended pending talks with Native American leaders



Advertisement

(CNN) — Protesters have tried to stop the construction of the Dakota Access Pipeline since late last summer. They've voiced environmental concerns. They've performed sacred rituals. They've stood in solidarity with a Native American group seeking to be heard.

On Sunday night, 400 protesters clashed with police, leading to the hospitalization of more than two dozen.

One protester, a 21-year-old New York resident named Sophia Wilansky, nearly lost her arm after an explosion. How did it happen? Both sides have blamed each since the weekend clashes.

Top stories




Why white nationalists are drawn to Charlottesville



Signs of fear creep back on Wall Street

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"The prices are reasonable and the Italian attraction is undeniable!" - Automobile



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1. This was also the night of one of the most severe injuries occurred. A 21 year old woman from New York suffered severe damage to her right arm from an explosion. Protesters claim the injury was from a grenade thrown by law enforcement, but as you all know law enforcement officers do not carry grenades. I have been assured by federal, state, county and city law enforcement officers that there is absolutely nothing in law enforcements riot control tool kit that could have caused that injury. There were some (yet unconfirmed) reports to the FBI that protesters were attempting to create IEDs from small propane containers to damage the road blocks. As of a few weeks ago the FBI and ATF are continuing to investigate the incident.

Cameras and Lights

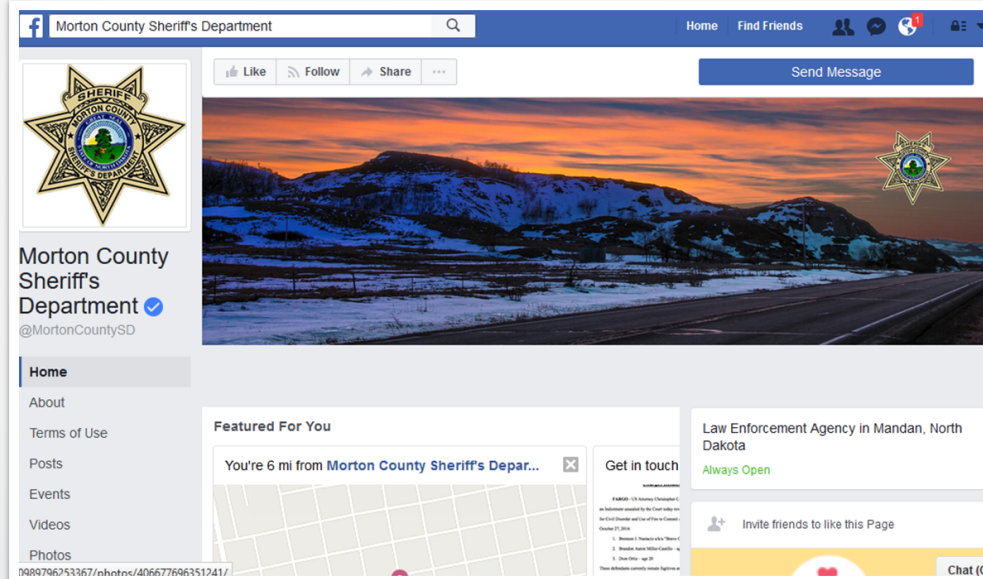


Video
on Turtle Hill



1. Here I want to touch on one of the biggest lessons learned. Cameras and video is so critically important in these types of events. Due to the rural nature and large geographic area of the protest sites, the only real video we were capturing was from hand helds assigned to certain officers. After November 20 however we made the very expensive investment in additional generators, light towers and cameras. This was both expensive and challenging because of the lack of wifi and cellular coverage, but the cost is absolutely worth it and should have been done months earlier.

MCSD Facebook page was Overrun by Spam and Fake Sites Were Created



86

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1. In late November, our new social media team took down the MCSD's Facebook page in order to clean it up, set up a more strict terms of use policy and return with the page with a new philosophy of posting and commenting. Less about the confrontations and more to build support and provide 2-way communication that was not full of spam and links.

The Morton County Sheriff's Department's Facebook page appears to have been deleted

- **There is no confirmation that Anonymous has anything to do with the missing page**
- **Rumor has spread that Sheriff Kyle Kirchmeier was suspended and that is why the account was deleted**
- **The Morton County Sheriff's Department was heavily ridiculed on their Facebook page before its deletion**

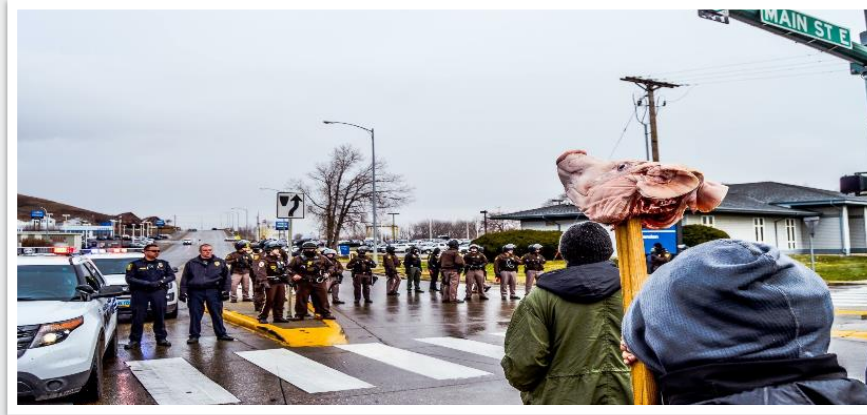
The Morton County Sheriff's Department has been quite vocal on their Facebook page. It has become a soapbox for them to preach their innocence to deaf ears.

The Facebook page was full of propaganda aimed to damn water protectors and cover law enforcement's ass. Despite their attempts, it was clear from the comment section on

1. In the week that the site was down to be cleaned up, rumors circulated that Anonymous hacked the account. Also, during that time 15 fake facebook pages for the Sheriff's Department popped up.



Thanksgiving Day Protests – Nov. 24

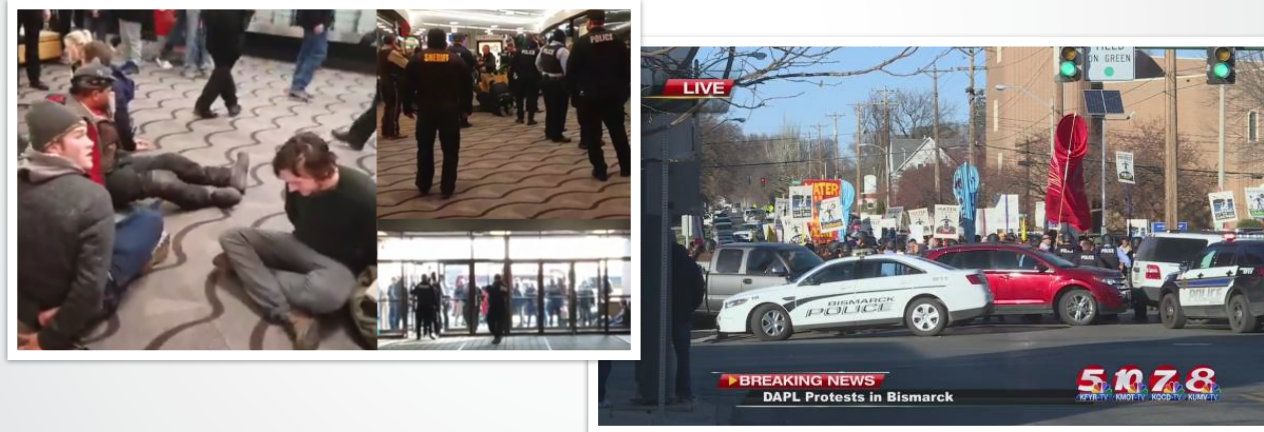


88

NDResponse

1. On Thanksgiving morning protests again came into Mandan and Bismarck, closing roads. We believe this was done to disrupt the holiday for law enforcement as well as community residents. By the way that is a real pigs head in the picture. I personally picked it up and disposed of it after the protesters left it on the street.

Black Friday – protesters at Kirkwood Mall and downtown Bismarck to disrupt business



1. The next day, Black Friday, protesters showed up at the local mall to protest. Mall management did not allow them to do so and law enforcement was called to remove them. Protesters seemed genuinely surprised by the public's response to their antics with the public verbally chastising them – even applauding when arrests began.



Phase 4: Maintaining

Standing Rock Protest: Veterans Pledge to Protect Protesters

by DANIEL A. MEDINA



► **Dakota Pipeline Protesters Face Critical Moment as Deadline Approaches** 1:45 [f](#) [t](#) [</>](#)

Groups of U.S. military veterans are descending on the Standing Rock oil pipeline protest, vowing to act as “human shields” against possible clashes between demonstrators and law enforcement.

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State of North Dakota

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you can save on more than
you think.

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1. The Corps of Engineers set a December 5 evacuation order on their property, and due to a forecasted blizzard the Governor also declared an evacuation order for December 5. Because of the order a group of veterans pledge to come and support the protesters and block any evacuation enforcement.

Meeting with Veterans Group – Dec. 2



1. Leaders, including the ND Adjutant General, meet with veterans group leaders, including Wes Clark Jr., and agreed to back away from the bridge to de-escalate any potential conflict. We also communicated the threat from mother nature and asked the group to make sure their members were cared for.

Controversy About Money



1. A lot of controversy followed Wes Clark Jr. and his group because many veterans who came claimed they were not cared for. The GoFund me campaign raised well over \$1 million, but some veterans who came actually started a social medial campaign #where'sthemoneywes. Some have also called for a fraud investigation to be launched.

UACE Denies Easement – Dec. 4

In Victory For Protesters, Army Halts Construction Of Dakota Pipeline

December 4, 2016 · 4:45 PM ET

NATHAN ROTT



EYDER PERALTA



1. The day before the evacuation order went into effect, the Corps announced it was denying the easement and conducting a full environmental impact study. Protesters celebrated the announcement.

Dakota pipeline protesters hit by blizzard

By [Reuters Media](#) on Dec 6, 2016 at 7:05 a.m.



1. The celebration didn't last long however because a blizzard moved into the area that dumped nearly 10 inches of snow and was accompanied by 40 mile per hour winds that dropped temperatures to -25 with wind chill. This stranded many people in tents and tepees and was a very dangerous situation.

Mother Nature's Impact



1. Some photos of the conditions that day.



1. The weather also changed the equipment and logistical requirements for law enforcement.

Morton County sets up shelter for protesters during blizzard conditions



On Sunday, December 4, 2016 afternoon, Standing Rock Sioux tribe members and their allies celebrated, crying tears of joy, over the fact the Dakota Access Pipeline project would be rerouted away from land that's deemed sacred.

Posted: Tue 4:20 PM, Dec 06, 2016 | Updated: Tue 4:30 PM, Dec 06, 2016



MANDAN, N.D. (Valley News Live) The Morton County Emergency Manager says law enforcement, emergency managers and the community are helping protesters given the blizzard conditions.

Morton County Commission Chairman Cody Schulz says, "North Dakota always comes together to help those who need it."

1. As a matter of fact Morton County set up 2 shelters for protesters who got themselves stranded on the roadways. We did it because it was the right thing to do, but at one of the shelters, a school, law enforcement was called to expel the occupants when they wouldn't leave after the blizzard. As an elected official, I probably got more angry calls from my constituents for this shelter than any other thing over the past 5 years. Local citizens were outright angry at the protesters for all of the crime and what they had been put through the previous 4 months.

Transition of Power



**Two Very Different
Administrations – Governor**



NDResponse

1. We faced the transition of two administrations – First at the State level on December 15. Former Governor Jack Dalrymple chose not to seek re-election and was replaced by newly elected Governor Doug Burgum. The former Governor had chosen not to fully engage all state resources and left the protest response primarily in the hands of law enforcement. Newly elected Governor Burgum entered office with a commitment to working all instruments of State influence; diplomatic, informational, emergency management, and economic.

New governor on Dec. 15 – greater engagement

2017 NDResponse Press Conference
1/25/2017



1. The new Governor came in with energy and a commitment to engage at all levels with all stakeholders.

Gov. Burgum & Morton Chairman Schulz Expand Communication



101



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1. Gov. Burgum and Chairman Schulz met numerous times with leaders of the Standing Rock Sioux tribe, the Cannonball District and farmers/ranchers in Morton County in order to understand everyone's concerns and work toward a peaceful resolution in which protesters would vacate the area for human safety, law and order, and economic reasons.

DIME line – Government Instruments of Influence

- **Diplomatic**
- **Informational**
- **eMergency Services**
- **Economic**

1. I just wanted to point out something I mentioned a few slides ago. Those of you with a military background may recognize this. We call it a DIME line, that lays out the different instruments of government influence.

DIMEline							
Date	1/29/2017	1/30/2017	1/31/2017	2/1/2017	2/2/2017	2/3/2017	2/4/2017
Day	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Diplomatic				UC followup meeting w/ SRST and Heads Men Gov meets with Cannonball District and Morton County		USACE Omaha District Commander visit to Oost Sakowin	
Informational				BIA BPT announce expenditure/effort control measure at MCR 134 and ND 1806 BPT announce a joint BIA-NDP Control Measure v/c Oost Sakowin camp Rapid deployment gauge install Wed 02/08 Order of operations - Bridge/1806 re-open		BPT message the demobilization of NDNG assets from LE support, with the capability to quickly ramp them back up again Message the deescalation of posture at the Backwater Bridge, the beginning of activities to initiate the process for eventual reopening, and the expectations which must be met to ensure the process continues USACE reports out on the pace of cleanup of the camp and degree of satisfaction	
Emergency Services		Clear wire and vehicle ramp from ND 1006 at the Backwater Bridge Initiate reduction of military appearance			Sacred Stone visit by BIA, USACE Alert NDDOT for possible bridge repair to begin 02/08	NDNG BPT reduce posture to FOB support only, possible limited CRC 	
Economic							
Support			Green Team Meeting Command and Staff Call	Green Team Meeting Command and Staff Call		Green Team Meeting Command and Staff Call	

1. This is an example of how our planning section folks would schedule and calendar engagements on the DIME line, for both planning and accountability.

Turning the Tide – Public Information

- A Louisiana Sheriff's Dept. video team
- Social media team put in place
- “Know the Truth” Videos

video

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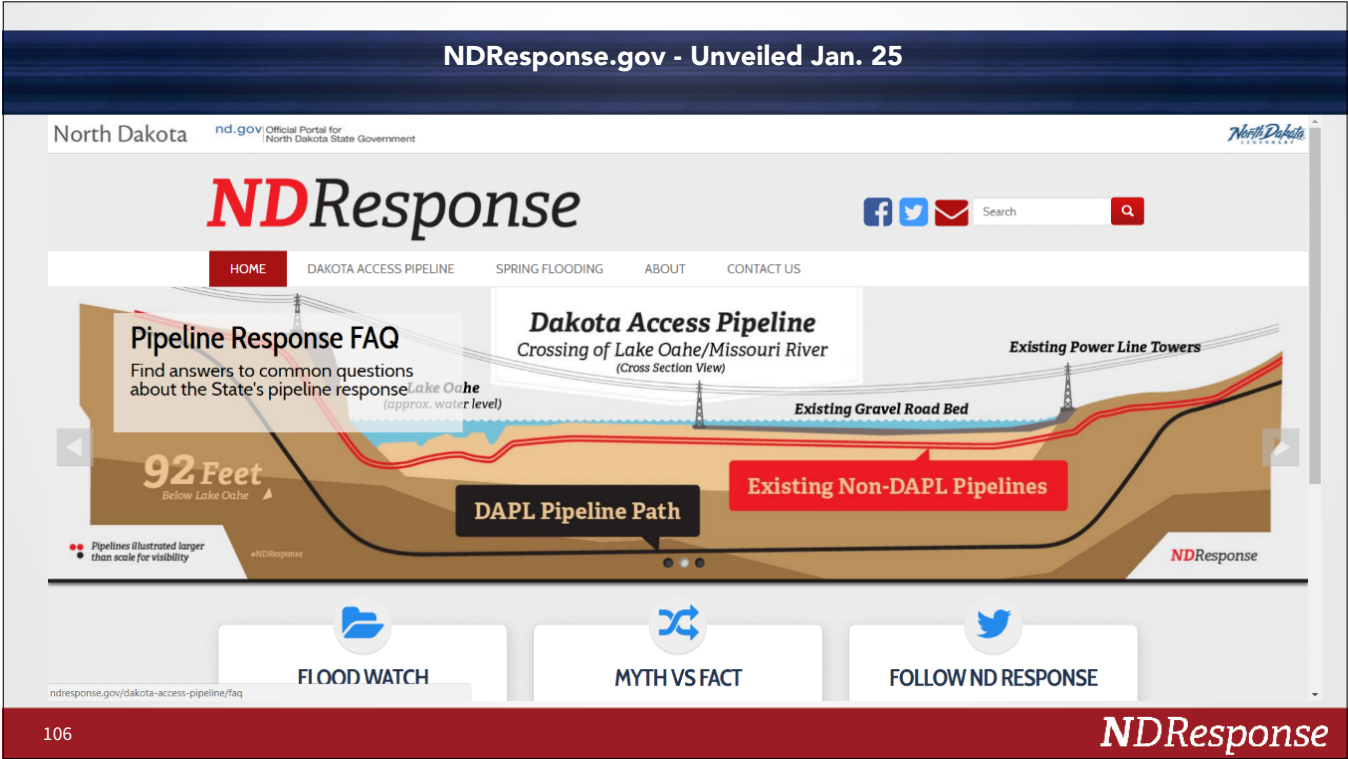
1. This is also about the time that we started getting ahead of the curve from a public information standpoint. Frankly, up until this point we were very far behind in terms of getting out our information in all mediums. Improvement was only possible because we pulled in a much larger and more diverse JIC team. We also enlisted the help of outside social media experts that provided support by posting and monitoring the page and they added a Twitter account for us as well. They were instrumental in getting all the fake sites reported and down due to their connections within Facebook and Twitter management. Also we started a video series called “Know the Truth” with help from the National Sheriff’s Association. The series was meant to give an unvarnished view of the protest response and each video covered a different subject. POTENTIALLY SKIP VIDEO FOR TIME OR PLAY VIDEO.

State Communication Operations

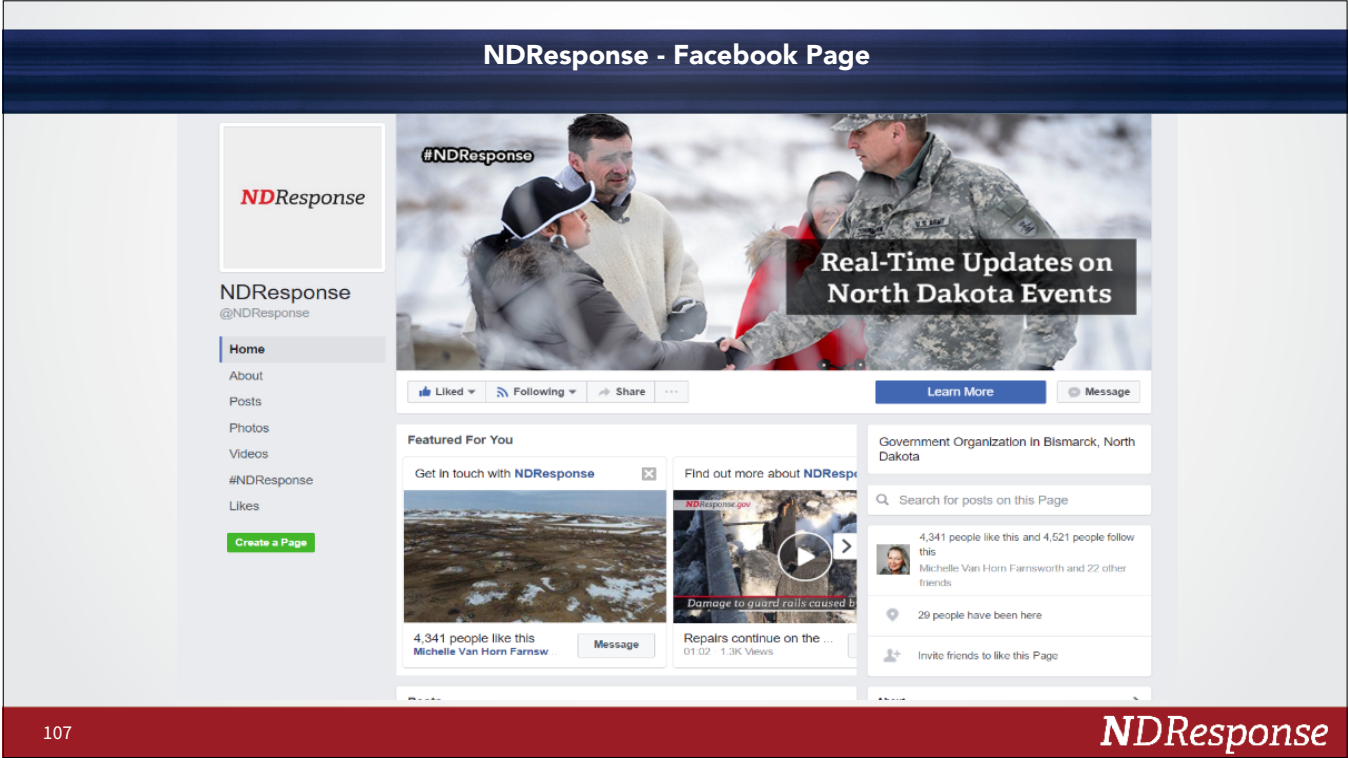
- **New administration**
- **Formed Phase 2 JIC**
- **Centralized message**
 - ✓ **NDRresponse Facebook, Twitter, Website**
- **Focused on:**
 - ✓ **Spring flooding – humanitarian and ecological concerns**
 - ✓ **Phased re-opening of Backwater Bridge**
 - ✓ **Myth vs fact**

***“We’re all on the
clean water team.”
– Gov. Doug
Burgum***

1. The Burgum administration chose to make a shift to a more robust state JIC that included Morton County, with a focus on diplomatic and informational communications. Additionally, a more centralized messaging started to occur, primarily through the new NDRresponse website and social media platform. Traffic was now driven to NDRresponse rather than different State agency websites. The JIC really started to drive home the public safety message “we’re all on the clean water team” and fighting rumors (dog attacks, bringing in trash, going into camp, burning tipis, spraying chemicals, blocking cell signals).



1. The new governor brought together various state agencies to work the information piece of the state's response to the protests. NDResponse.gov became a central depository for anything related to DAPL protests and flooding.



1. ND DES Facebook page was transformed into the NDResponse page since it was already established and had a follower base. The site remains active for any North Dakota events/disasters in the future.

DES Facebook page was transformed into the NDResponse page since it was already established and had a follower base. The site remains active for any North Dakota events/disasters in the future.



1. Here is another product that the new JIC team developed and distributed weekly. It was a “drumbeat” of information that allowed us to increase messaging output across all channels, especially visual channels.

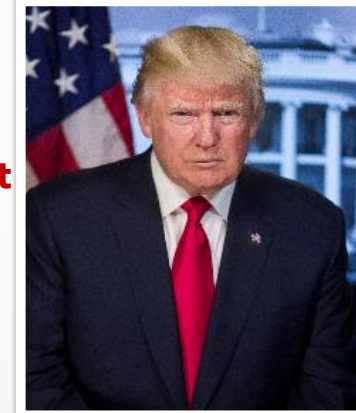


Phase 5: Concluding

Transition of Power



New Administration – President



1. Now we faced another transition of power at the federal level – County and State leaders had been arguing from the beginning that this was a federal issue with virtually no federal resources being engaged. Based on his comments, we expected the Trump administration to engage resources very quickly, however, federal resource engagement didn't increase all that quickly. This is proof that a change in administration does not necessarily mean a change in bureaucracy. However, the number and level of communications greatly increased with the new administration.

Trump signs order to advance Keystone XL and Dakota pipelines



BY COURTNEY NORRIS January 24, 2017 at 12:32 PM EDT | *Updated: Jan 24, 2017 at 5:39 PM*



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1. Only a few days after his inauguration, President Trump signed a memorandum instructing the Corps of Engineers to “take all actions necessary and appropriate to review and approve in an expedited manner.”

<http://www.pbs.org/newshour/rundown/trump-signs-order-advance-keystone-xl-dakota-pipelines/>

Attempting Negotiations to Clear "Rogue" camp Feb. 1

video



14;22;34;14

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1. On February 1, a small group of "rouge" protesters again seized some private property. This was done against the wishes of a majority of remaining protesters. Here is a video of the interaction with the rouge protesters. [PLAY VIDEO](#). After this negotiation failed law enforcement cleared the property of protesters and made a number of arrests.



MYTHS — VERSUS — FACTS

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1. After the private property was cleared, these images started floating around social media claiming law enforcement officials burned teepees. The fact is after law enforcement completed the arrests all items were collected that were considered to be of evidentiary value for their criminal investigations. I then coordinated with the Tribal Historical Preservation Officer so he could recover the teepees and other sacred or significant items.

U.S. Army Corps of Engineers grants easement for Dakota Access pipeline

1 MIN READ



1. On February 8, 2017, the Corps granted the easement to Dakota Access allowing the installation of THE pipeline under Federal lands managed by the Corps.

Threat Of Flooding Rises At Dakota Access Protest Site



David Blackmon, CONTRIBUTOR

[FULL BIO](#) ▾

Opinions expressed by Forbes Contributors are their own.



Unseasonably warm weather results in ice melt, turning the [\[+\]](#)

Imagine if you will an oil and gas pipeline company whose workers move into Army Corps of Engineers land in the middle of summer and establish an illegal campsite. Imagine next that said oil and gas pipeline company then sends out a nationwide call to action inviting non-employees from all parts of the country to join its employees at the campsite. Imagine that, over the next several months, thousands of such outsiders come and go to and from the illegal site, leaving

behind piles of trash, large volumes of human waste, and dozens of abandoned cars, commercial vans, buses and trucks, many of which are broken down or out of gasoline.

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PERSONAL SAVINGS

1. At this same time, flooding started to be a concern. At that point the area had received the 4th highest snowfall ever recorded. Also, the land that protest camps were situated on were in a flood plain, which is why the land was owned by the Corps in the first place.

Prior flooding in 2011




1. This is a phot of the protest camp just a few years ago during flood season. Virtually the entire area the camps were on would have been under water.



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1. Flooding was a real threat – leading to risk to public safety and a fear for a potentially contaminated river. There was everything from vehicles to human waste and outhouses still at the camp.

US Army Corps of Engineers' eviction notice Feb. 22

**US Army Corps of Engineers**

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Missouri River Water Management News

Missouri River Water Management News Releases are available on the Northwestern Division website.

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Corps closes federal property adjacent to Cannonball River for safety, environmental concerns

SHARE

Email

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Posted 2/3/2017

Release no. 17-013

Contact
Omaha District Public Affairs
402-995-2417
omaha.usace-pa@usace.army.mil

The Corps issued notices today informing protestors of the closure of Corps-managed federal property adjacent to the Cannonball River. Safety is the number one priority for the U.S. Army Corps of Engineers and therefore the Corps will close federal property in the floodplain located at the mouth of the Cannonball River on February 22, 2017, to prevent injuries and significant environmental damage in the likely event of flooding in this area.

Because of record snowfall and long periods of frigid temperatures in the Bismarck and Fort Yates area this year, there is a high potential for flooding at the mouth of the Cannonball River from spring runoff and ice jams. Much of the land where the protest camps are currently located is directly in an area prone to flooding in years with heavy plains snow pack.

While the U.S. Army Corps of Engineers routinely monitors river levels, ice jam flooding can vary rapidly from

1. Due to the flooding concerns the Corps issued a February 22 deadline for people to vacate the camps on their property.

**Gov. Burgum
orders
emergency
evacuation
Feb. 15:
Camp to close
Feb. 22 at
2:00pm**



1. Governor Burgum followed with an emergency evacuation order of his own for the same date.

State and County Aid Offered

- Free Hotel Room
- Free Bus Ticket Anywhere in the US
- Free Health Screening

1. For the week prior to the evacuation, the state and county continued to publicize that anyone that would leave on their own would be offered a free hotel room, a free bus ticket anywhere in the US and a free health screening. In the end I believe less than a dozen people accepted the offer. And again, one individual that did vandalized the hotel room he was put up in.

Evacuation Day - Feb. 22, 2017



1. On February 22, the evacuation day protesters were expecting law enforcement to enter the camps, but they did not. The hope was that between an extra day and the uncertainty of the situation would cause more people to leave voluntarily. Some did leave voluntarily, and others started structures on fire, I suppose as a last act of protest.
PLAY VIDEO.

Clearing Oceti Sakowin Feb. 23, 2017

NDResponse.gov

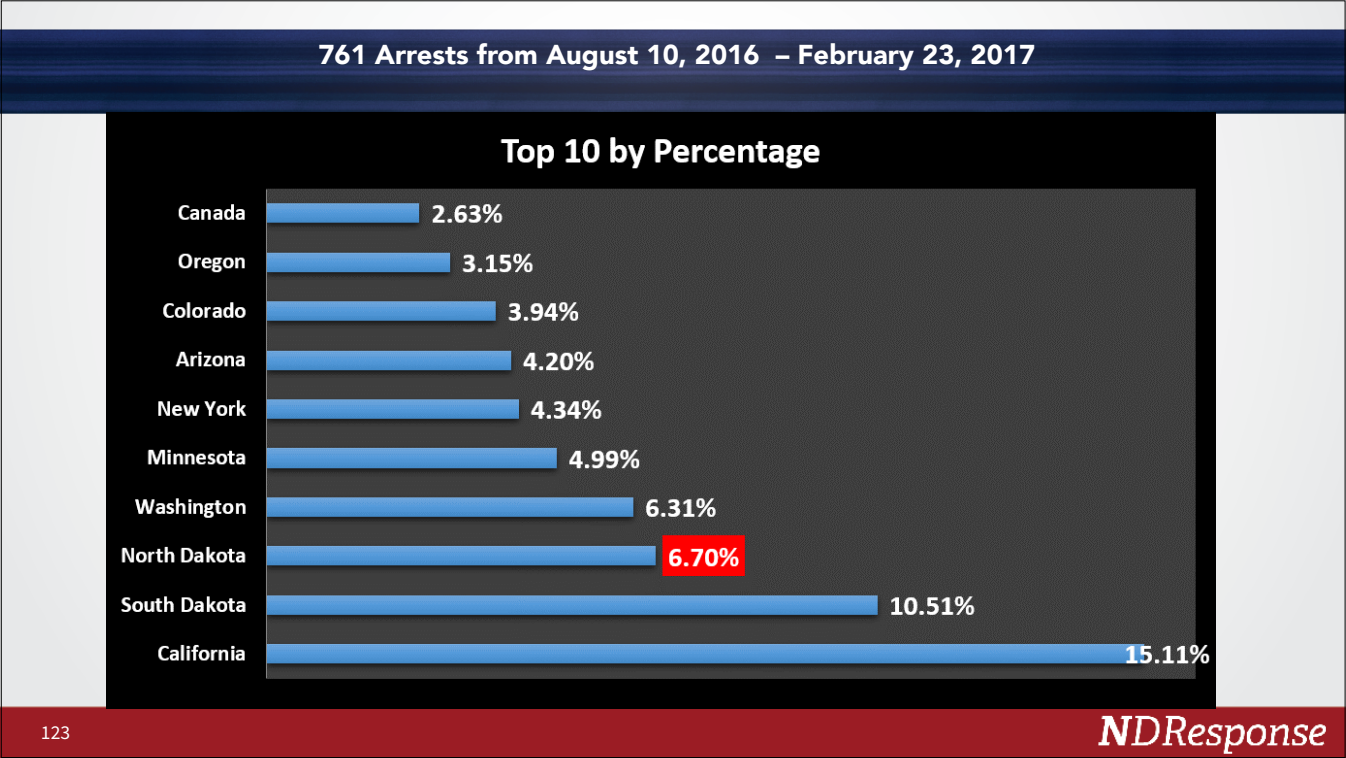


video

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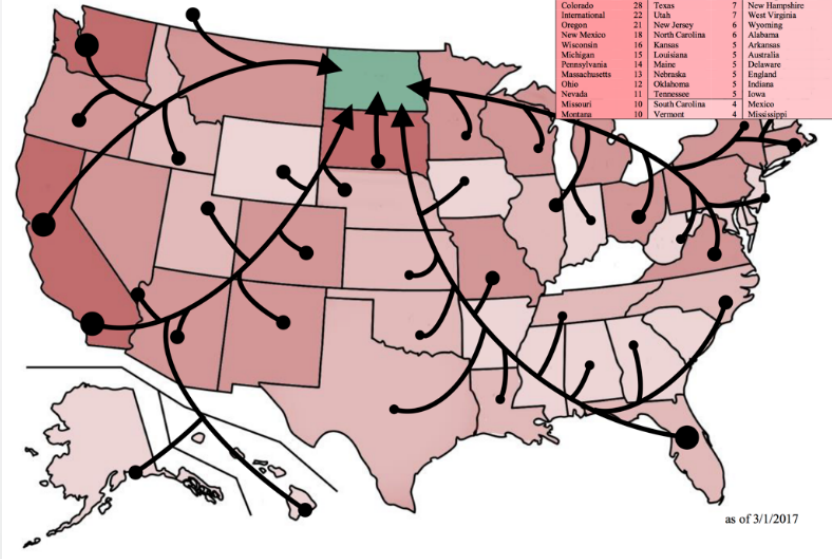
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1. On the following day February 23, law enforcement entered the Oceti camp and encountered a group of approximately 50 protesters. Officers directed the protesters to disperse and move to the south and if they did so, they would not be arrested. Officers began to move forward and those protesters who did not disperse were arrested. **PLAY VIDEO.** Law Enforcement continued to move through the camp and inspected each structure to ensure they were empty and not a security risk. At 2:09 pm, law enforcement announced the Oceti camp was cleared and secured. This day we had a staging area for media to observe. In addition, I invited the ACLU to observe as well.



1. Here is a final statistical breakdown of the 761 total arrests by their state of residence. Note that less than 7% called North Dakota home. I believe that 46 or 47 states were represented on the arrest list.

661 PROFESSIONAL PROTESTERS ARRESTED IN NORTH DAKOTA



as of 3/1/2017

- Another slide showing the geographic diversity in the arrests. Notice the number on this slide shows 661 people, which is correct, but there were 761 arrests. Some individuals were arrested twice after being released or bailed out of jail.

Prior to protests



September 26



December 5



November 25

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1. Here is just an aerial time-lapse of the protest camp area.



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1. As I previously mentioned, one of the main concerns entering spring was flooding and the millions of pounds of trash, including human waste that was leaching into the soil to could have potentially contaminated the Missouri River. Ultimately, 9.8 million pounds of trash was removed from the protest camps.



March 17 at 12:00pm

Highway 1806 opened to traffic via pilot car

Escorts by State of ND employees with law enforcement presence



1. On March 17, after the Backwater Bridge was temporarily repaired were it sustained fire damage, Highway 1806 was re-opened to traffic with a law enforcement pilot car. We did this because there was still pipeline construction in the vicinity and we wanted to make sure we didn't have any traffic safety issues.



March 31
 Highway 1806 fully
 opened. Incident
 considered over.



1. On March 31 the highway completely re-opened, pilot cars were removed, and this is the day we mark as the official end of the incident.



Lessons Learned

1. Lessons Learned, and some the hard way.

Lessons Learned – General

- Go Big, Fast!!!
- Public Information Officers – Many are needed
- Social Media – Use it or it will abuse you. Communicate with the public not the zealots.
- Analyze State Laws – (Authorities, Jurisdictions, etc.)
- Drones/UAS – As a Country we need to get a handle on this – FAA Part 107A is not the answer
- Engage State and National Trade/Member Organizations – National Sheriff's Association, NEMA, State/National Association of Counties, etc.

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1. First the General Lessons:
 - a. Go big, fast! What I mean by that is don't expect things to grow slowly or not at all. Make sure you have the manpower, mutual aid, logistics, and communications in place for a rapid escalation in numbers or violence.
 - b. You are going to need a number of good PIOs. You may have to look for contract help or engage some of your member organizations. I'll touch on this in just a bit. Another thing is to make sure you have separate spokespersons for issues of public policy and law enforcement, don't mix the two.
 - c. Analyze State Laws. In a situation like we endured there were a number of legal issues that were major considerations. What are the requirements to arrest and prove trespass? Does the State Patrol have arrest authority off of the highway system under their own authority or do they have to be cross-deputized?
 - d. Drones and UAS. Being a relatively new industry we have to get a handle on the legal and illegal use of these things in situations like riots.
 - e. Engage your State and National Trade and Member Organizations. We were very fortunate to receive assistance from the ND Association of Counties, ND Emergency Management Association, and the National Sheriff's Association. Their assistance was invaluable.

Lessons Learned – UC/Strategic

- Set up a Unified Command Early
- Formalize Communication Structure – How does Info get from UC to Operations Chief to Operators
- Legal/Lawyers – Embed legal advisors at both the UC and Operations level
- Invest in Video – Spend the money, worth its weight in gold

1. Next let's talk about the Unified Command and strategic level lessons learned.
 - a. Be sure to set up a Unified Command early and clearly communicate the legal responsibilities of everyone in the Command. Depending on State laws these responsibilities may differ, but a Unified Command is required for a "Many voices, one message" approach.
 - b. Formalize a communication structure. Be explicit and precise on how information gets from the UC to the Operations Chief to the field, and back up the chain. This was somewhat difficult for us because we had 3 physical locations – an SEOC, a TOC, and a FOB; and they were 40 miles apart.
 - c. If you have a lawyer joke insert it here. Seriously though, legal advisors are critically important. You should have at least one advising the UC and one advising the operations chief. They will likely be addressing different issues. The UC deals with more authority/civil issues where the Ops chief may want a criminal prosecutor to advise him.
 - d. Video. Make sure to invest early. There is virtually no better money spent. It's great as evidence, but we noticed that the mere presence of video cameras in many cases de-escalated a situation because people didn't want to be captured on a recording.

Lessons Learned – Ops/Tactical

- Formalize Training and Orientation
- Stage Logistics Forward – Especially in a rural setting
- Must Look Beyond Response – Don't get caught in the “emergency of the day.” Reports, Evidence processing (especially video), intelligence update are critically important
- Resource Tracking – Have a system. Demand Accountability
- Communications Plan – Know your Technology (radios, encryption, etc.)

1. Finally, let's talk a bit about the lessons learned at the Operations and tactical level.
 - a. First make sure that when you are using a mutual aid manpower that you have a formal training and orientation session put together. Even though everyone on the line during the pipeline protest was a sworn officer, there was a ton of event specific info that needed to be understood.
 - b. Stage logistics forward. This is true for everything from cars and equipment to food and restrooms. Remember that most activity we dealt with was over 35 miles from the law enforcement center.
 - c. Look beyond response. What I mean by that is not to get caught up in the pace of the day and lose focus on other important tasks. One example from our experience was the processing and databasing of video. We did not have manpower dedicated to that task and it would have been useful for intelligence purposes, but also is useful to subsequent prosecutions. I would highly recommend some customizable off the shelf options available for video archiving and databasing.
 - d. Resource tracking is also very important when using mutual aid, because you have a lot of people coming and going. Have a system in place and demand accountability.
 - e. Finally, for the same reason, you need a communication plan. You have to know your technology, what is interoperable, what channels will be used on the radios, and if you have any issues regarding encryption.



THANK YOU

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1. Thank you so much for the opportunity to talk to you today. Are there any questions?