

(Mount Clipping in Space Below)

Just for Variety

By **ARMY ARCHERD**

GOOD MORNING: The long-delayed "Jaws" has one-or-two days' second unit remaining as director Stephen Spielberg places the blame on special "Defects" and inability to work in the Atlantic Ocean. They started May 2. "It was quite an ordeal — one of the bad-luck pictures. But it was the best-behaved sets and no personality problems." As for the mechanical shark built for the film, he claims only one scene will be used with it — the rest, all "live" sharks and "illusion." Spielberg says costar Robert Shaw was uncomplaining despite the overlong stay which surpassed his U.S. work period, cost him a double tax situation (U.S.-K.). "Jaws" delay also forces Spielberg to postpone the start of his next, a Mike and Julia Phillips political sci-fier (untitled) until mid-Feb. . . In case Otto Preminger is interested: Director Sydney Pollack, completing his "very difficult" film, "Yakuza," says Bob Mitchum couldn't have been more cooperative. It was a very tough location (Japan) and we worked Sundays and he never complained. He was super-intelligent about the role — and very tough." Pollack next reins in Redford in "Six Days Of The Condor," in which Redford's a CIA man — following his newsman role in "All The President's Men" and before reteaming with Pollack in Bill Goldman's "Mr. Horn" western. Arthur Penn now looms as director of Marlon Brando in "Wounded Knee." They last teamed in "The Chase" in 1966

(Indicate page, name of newspaper, city and state.)

P. 2 VARIETY
HOLLYWOOD, CA

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Editor: Thomas M. Pryor
Title: WOUNDED KNEE

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ORIGINAL TO THE BUREAU

(Mount Clipping in Space Below)

By ARMY ARCHERD

GOOD MORNING: Marlon Brando's "Wounded Knee" director, Martin Scorsese, has bowed out of the project. "Marlon and I and John Foreman got along great," he says, "but there were political problems with me and the Indians. We just didn't get along." According to Scorsese, "My dream of the film was to make a picture that meant a great deal to ALL the Indian people, not just those at the trial. That's when communications broke down between us. I couldn't make that kind of picture."

(Indicate page, name of newspaper, city and state.)

P.2 Variety
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Editor: Thomas M. Pryor
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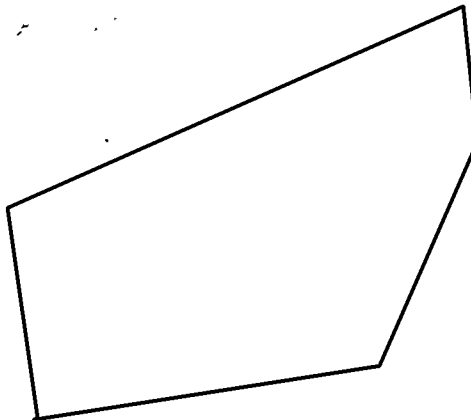
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FBI - LOS ANGELES

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(Mount Clipping in Space Below)

Wounded Knee Film to Star Brando

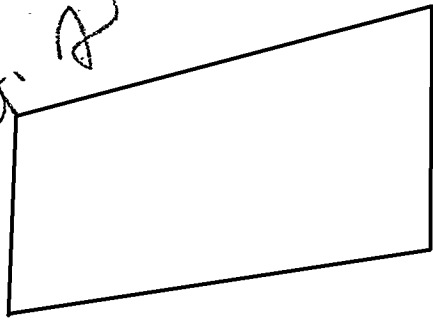
● Screenwriter Abby Mann, who won an Academy Award for his screenplay for "Judgment at Nuremberg," said this week that film crews will begin shooting a movie about the 1973 Wounded Knee occupation early next year, starring Marlon Brando.

Mann has written two-thirds of the screenplay, a fictional treatment of the 71-day siege at the historic site which began in February, 1973. Brando will play the role of the attorney who helps the Indians.

Two American Indian Movement leaders, Dennis Banks and Russell Means, were accused of three counts of assault, one of theft and one of conspiracy in the occupation. A federal judge in Minnesota dismissed the charges against the pair last month after an eight-month trial. Brando and Mann were present for the dismissal. Shooting will begin on the Pine Ridge Reservation in South Dakota.

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IV-10 LOS ANGELES
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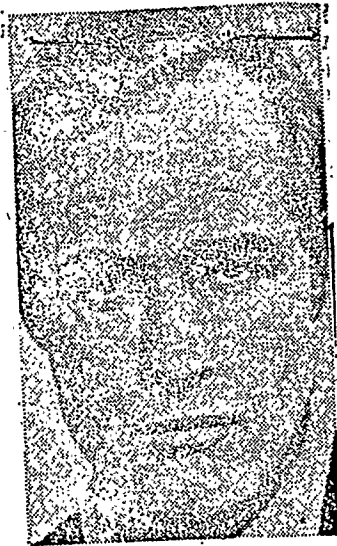
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Author: Mary Murphy
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ORIGINAL TO THE BUREAU



MARLON BRANDO
to play attorney.

(Mount Clipping in Space Below)

Wounded Knee Benefit

Black actor William Marshall, who is currently starring in American International Pictures sequel to "Blacula," "Scream, Blacula, Scream!" and Joe Westmoreland's Operation Breadbasket Choir will join Native American musicians Jesse Ed Davis and the Floyd Westernman trio in a benefit concert for Wounded Knee.

The concert, which is scheduled for Friday, July 27, will be held at Fritchman Auditorium, 2936 W. 8th Street (near Vermont) and is open to the public. The effort is being jointly sponsored by United People for Wounded Knee and the United Defense against Repression.

(Indicate page, name of newspaper, city and state.)

A-5 Los Angeles Sentinel,
Los Angeles, CA

Date: 7/26/73
Edition:
Author:
Editor:
Title:

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LOS ANGELES	

[Redacted Box]

(Mount Clipping in Space Below)

A Personal Report

From Wounded Knee

By Richard Eiden

I arrived at the airport in Rapid City, South Dakota on Wednesday, April 18. I had left Santa Barbara the day before at the request of the National Lawyer's Guild to help with legal defense efforts for the Wounded Knee occupants.

For three weeks I criss-crossed the southern part of the state, driving from bail hearings in Rapid City to the jail at the Pine Ridge Reservation, from the government perimeter around Wounded Knee to the homes of Indians and supporters in the area. It wasn't until two days before the occupation ended that I was able to enter Wounded Knee itself, as an attorney for the family of Buddy Lamont, one of the two Indians who gave their lives at Wounded Knee.

By then the battle of Wounded Knee was nearly over. For the second time in a century the little South Dakota village had stung the conscience of white America.

For ten weeks, Oglala Sioux, aided by Indians from 64 different American tribes, had held the village by force against the armed power of the United States government. With a style painfully reminiscent of Vietnam, the government had littered the hilly perimeter of Wounded Knee with electronic sensors to detect the odor or heat of human bodies, trip wires to detonate flares, armored personal carriers, military helicopters, dog teams, and hundreds of federal police and marshals armed with M-16 rifles.

The occupants, however, managed to come and go at night. Though people were apprehended frequently, others successfully overcame the obstacles of the 6-8 hour hike through government lines and nightly brought supplies and supporters back into the besieged village.

By Saturday May 5, almost 70 days after the initial occupation of Wounded Knee, two warriors had died, and 85,000 rounds of government ammunition had been poured into the village. But the American Indian Movement's (AIM) resistance was unbroken, and the government was finally ready to agree all over again to the terms of the early April settlement.

Arrival

Everything about South Dakota seemed to be affected by the battle of Wounded Knee. Even the plane trip to Rapid City was unusual. At least a dozen FBI

Richard Eiden is a lawyer presently working with the Santa Barbara Legal Collective, and just returned to town.

(Indicate page, name of newspaper, city and state.)

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Date: 6/1/73

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Author:

Editor:

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Classification:

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157-8224 (AIM)
70-7253 (WOUNDED KNEE)
100-79295 (S.B. Legal Collective)
100- (NATIONAL LAWYER'S GUILD)

agents were among the passengers on my plane. They sat together in a group and chatted. Many seemed to be old friends who hadn't seen each other for years. They were met at the airport by a large contingent of well-groomed, well-dressed men.

I was met by Bill Lehman, a recent law school graduate from Chicago. Most of the members of the Wounded Knee Legal Defense/Offense Committee were like Bill and myself: young, not overly well-groomed and not so well-dressed.

An hour or so later I was off to the Rapid City jail to meet my first clients; two Indian men from Redding, California. They had been arrested as they slept in a haystack several miles from Wounded

the second largest city within the state. The road to Pine Ridge has several houses within sight and a few small towns.

Pine Ridge itself has two gas stations, two coffee shops, a few bead work and jewelry shops, a market, a post office and several dozen houses. It also has a tribal jail. The tribal courthouse is one of those buildings on wheels that looks like a cross between a temporary building and a mobile home. But the biggest building is an oppressive structure housing the Bureau of Indian Affairs. The BIA offices were being used as the headquarters for the government's military operation.

At the jail we were told we could

Knee. The FBI, using a helicopter, had apparently seen them coming out of the village.

From Rapid City I was taken to the other important jail, on the Pine Ridge Reservation, a two hour drive south and then east of Rapid City. A lawyer and a legal worker from our committee had been arrested with a group of people, and another lawyer and I were taking money to bail them out.

The drive to Pine Ridge was my first real chance to see the country. Western South Dakota is largely rolling green hills for hundreds of miles. Rapid City has a population of about 40,000 and is

not see any of the prisoners because we were not licensed to practice as lawyers before the tribal court of that reservation. And, we were told, we could not get licensed because it was after hours.

Although you don't have to be licensed in order to bail someone out of the Pine Ridge jail, we couldn't bail these people out because the judge had not set bail before going home for the day. They would have to stay in jail with no visitors or attorneys until the following day. We were also told that the FBI questioned people in the morning, so that if we returned in the morning and paid for our license, we could still have

to wait till the FBI finished their questioning.

April 17, the day before I arrived, had been a big day for Wounded Knee. In the early morning, three private airplanes had dropped 2,000 pounds of food in the fields surrounding the encampment. Seven individuals have subsequently been indicted, including cartoonist Thomas Oliphant, a Boston *Globe* reporter, and Bill Zimmerman of Boston Vietnam Vets Against the War. As the village occupants started to gather up the packages, the government forces opened fire. The Wounded Knee defenders held their fire for almost an hour and a half, but finally returned it in order to allow those who were pinned down to return to safety. The firefight lasted almost all day. An enormous amount of government ammunition was fired into Wounded Knee. Four people were wounded, including Frank Clearwater, who later died.

The government immediately announced that right after the airdrop, the Indians had begun shooting and that it wasn't until two and a half hours later that they returned the fire.

Frustration and Roadblocks

Frustration underscored almost everything I, and the other lawyers and legal workers, tried to do. We weren't allowed near Wounded Knee until almost the end of the occupation. Trying to protect the constitutional rights of the occupiers, supporters and innocent bystanders, we met petty roadblock after petty roadblock. Even the simplest things became herculean efforts. Normally the local law library was opened to visiting lawyers as a matter of courtesy, as it is everywhere in the country. But in Rapid City we were informed that to use the library, even to look up case citations, we would have to pay a \$100 fee.

Once in court, we met the same kind of treatment. Defending the two Indian men who had been tracked down by the FBI helicopter, I watched in almost total disbelief as the white judge ordered that they leave the state as a condition of parole. When he asked them whether they understood the terms he was offering, they stood in complete silence, not responding, staring at the floor. When he repeated himself, and they still refused to answer, he rose, and leaning over the bench, shouted, "Do you accept my conditions, or don't you?" Slowly, with the coldest anger in their voices, the reply came, "Certainly," but the tone apparently wasn't respectful enough for the judge, and he ordered them back to jail instead.

Frustration marked the experience of

Friday, June 1, 1973

reporters as well as lawyers, even though most of the reporters there displayed no strong sympathies for the people inside Wounded Knee. The government had decided after the first two weeks that the First Amendment was standing in the way of restoring "order," and simply decided to suspend it as far as the press was concerned. At first the press resisted. A CBS news crew, for example, was able to sneak through government lines and backpack a camera and mike into Wounded Knee, trying to get AIM's side of the story. But they were arrested coming out, and from that point on CBS reporters were systematically excluded from all government press conferences. Similarly, an alternative news crew from Unicorn Press in San Francisco was excluded, because a government representative claimed they had been "seen inside Wounded Knee." In what had to be a tongue-in-cheek remark to end all tongue-in-cheek remarks, the *LA Times* man reported that since closing off Wounded Knee, "the Federal Government has dominated press reports about events here."

From what I learned in my weeks there, such denials of basic freedoms was nothing new to the Indians of South Dakota. Perhaps most infamously, we heard stories that until a couple of years ago, many white-owned businesses displayed "No Dogs or Indians Allowed" as a matter of course. Poverty and unemployment, as well as alcoholism and the lack of decent medical facilities were still endemic when I was there, as they are on most Indian reservations in America. The suicide rate among young Indians, I discovered, the highest for any group in the nation, infant mortality twice the national average, per capita income a quarter of white income.

Yet one of the tragedies of white colonization of the Indian has been that it has turned Indian against Indian, even members of the same tribe ending up as enemies. Throughout the Wounded Knee occupation, the official reservation tribal council displayed even more hostility toward those inside Wounded Knee than the government itself did. Dick Wilson, tribal president, more than once threatened to send vigilante "friends" in to end the occupation, despite the enormous bloodshed he knew it would have caused. And Indian policemen, working for the Bureau of Indian Affairs, consistently acted with calculated violence toward those associated with the occupation. At one point in fact the government actually admitted that several thousand rounds were fired into the village by BIA police the government said it was "unable" to control.

Yet the government, for its part, seldom displayed less hostility or more sensitivity than its Indian police. The two top officials were Richard Hellstern from the Justice Department and Kent Frizell from the Department of the Interior. Hellstern always played the tough cop, hardline, mean, and unreasonable. Frizell on the other hand, was the "nice guy", wanting to be trusted, and always reasonable in what he said if not what he did. The combination was very effective, and contributed to the schizophrenic image which the government cultivated throughout the crisis. Frizell, for example, did most of the public relations for the government. He appeared at the press conferences, gave interviews, etc. Hellstern, with more authority than Frizell, was often in the position of reneging on tentative promises made by his colleague.

But neither these officials nor any other government representatives ever concerned themselves with any of the underlying causes of Wounded Knee. The Indians at Wounded Knee wanted to discuss the 100-year-old Sioux treaty, the government's interpretation of which is quite different from the Indians'. More

SANTA BARBARA

over, they wanted to talk about how so many white ranchers have ended up with leases of huge parcels of reservation land, why white people own all the large businesses on reservations, and why no roads were improved after \$2 million was given to the tribal chief for road improvement. But the government merely wanted to talk about surrender of arms, and finally threw in a few promises which did not deal with basic Indian problems.

Perhaps the best example of official attitudes came when Hellstern and Frizell held a news conference after surveying the village for the first time after the 70-day occupation.

A reporter asked Hellstern what he had learned from supervising this operation. He replied that the most important thing was that the situation wasn't settled by

negotiations. He didn't consider the negotiations to have been fruitful; in fact, he said, they were "a hindrance to the final outcome." "These matters are primarily a police matter and should be handled as such," Hellstern claimed.

Frizell's observations concentrated on the "destruction" which had taken place in the village. He kept saying, "They didn't even burn their garbage," and "This place is the closest thing to a pig sty I have ever seen."

Death

Larry "Buddy" Lamont was buried on Sunday, May 6, two days before the siege officially ended. It was an important moment for me, not only because it was the second death during the occupation, but because it was the only time I actually got into Wounded Knee itself.

Buddy was killed by a long-range bullet through the back in a firefight on April 27. Everyone was pinned down for a few hours after he was shot, so it was impossible to get to him for two hours. Nobody knows when he died, but they suspect it was immediate. Buddy was 31, from Pine Ridge, had just finished six years in the Marines, including Vietnam. He had been inside Wounded Knee during most of the liberation.

No doctor would sign the death certificate. The doctor who performed the autopsy was afraid to commit himself and take the chance of displeasing the government. We finally got someone to sign an affidavit of death which was legally sufficient to allow him to be buried.

The family wasn't notified by the government that Buddy had been killed. They found out from neighbors who heard on TV that he had been shot. When they checked with the hospital, they were told their son was there and that he was dead.

I arrived at the wake on May 5, the day before the funeral. The wake was

A NEWS & REVIEW

being held at Porcupine, a small town on the reservation. The family and friends wanted me to stay. I was afraid of imposing, but decided to just hang around in case a lawyer might be needed. There were two cows and two pigs to be butchered and prepared for the next day's feast. We spent the afternoon, evening, and early morning cutting meat. There were also cakes being baked, bread being fried and people arriving constantly to pay their respects and bring food for the feast.

Early the next morning, family members arrived who said the government had announced that only 35 close relatives could attend. Hundreds were expected that same day and had already started arriving. Agnes, Buddy's mother, was very upset. Since there was no phone for 25

miles, we drove to Pine Ridge to ask the government what was happening.

Frizell and Hellstern came to Agnes' house to talk about it. Frizell said he thought everyone should be able to attend, but he didn't know if he could "sell" it. Hellstern arrived a few minutes later and said that only 35 could come. I asked him why he waited until the last minute to tell the family of this severe limitation. He said that he had first said 8 to 10. I said it was nice that he had changed his position on that, but the fact remained that sometime subsequent to that the government had let the family believe that everyone would be allowed.

He said that he hadn't told them that. I said that he had never spoken to them personally, so of course he hadn't told them that and it was a Hell of a time to start talking to them. We finally agreed that 60 people could go in, with the family given free choice of which 60.

A few hours later, hundreds of people arrived at the roadblock. Somehow, 106 mourners were on their way to Wounded Knee by bus on the day after the agreement. We drove to the tiny village in a bus. As we reached the crest of the hill I caught my first glimpse of the isolated cluster of little buildings which had so quickly become so important to myself and millions who had never seen it — important enough for some to die. The white church and graveyard stood on a little knoll slightly removed from the eight or nine other small houses in Wounded Knee. Trenches were visible here and there, as were the charred remains of the trading post which had been headquarters for the insurgents until an accidental fire destroyed it a week before.

Ceremonies were conducted at the bottom of the hill below the white church. Then everybody said goodbye to Buddy, single file. He was carried up the

hill to a grave right beside the Monument to the Wounded Knee Massacre of 1890. More ceremonies. A line of ten warriors fired ten volleys each into a little valley surrounded by endless hills in every direction. At the top of the first crest of hills were five or six clusters of armored personnel carriers and federal employees.

After the ceremonies some men started shoveling dirt on the coffin. As the hole was filling, people started walking down the hill towards the round church. Food was served as soon as everyone had greeted each other. The mood suddenly changed from profound sorrow and renewed dedication to one of friends renewing friendships and catching up on news and meeting people. And eating a meal, the largest meal in many weeks for many of them.

On Tuesday, May 8, 1973, militant Oglala Sioux and members and supporters of the American Indian Movement ended their ten-week occupation of the village of Wounded Knee, South Dakota. Since February 27, the Sioux and their supporters from all over the country, including members of sixty-four different American Indian tribes, held the village by force against the power of the United States government.

By the time it all ended, 85,000 rounds of government arms had been poured into the village and two warriors had died. But AIM's resistance was unbroken and the government was finally ready to agree to the terms of the early April settlement, even though between the breakdown of that settlement and late April, the government had refused to negotiate for almost three weeks.

Much of the May agreement related to the laying down of arms by both sides. The substantial points were similar to the April agreements. The government agreed

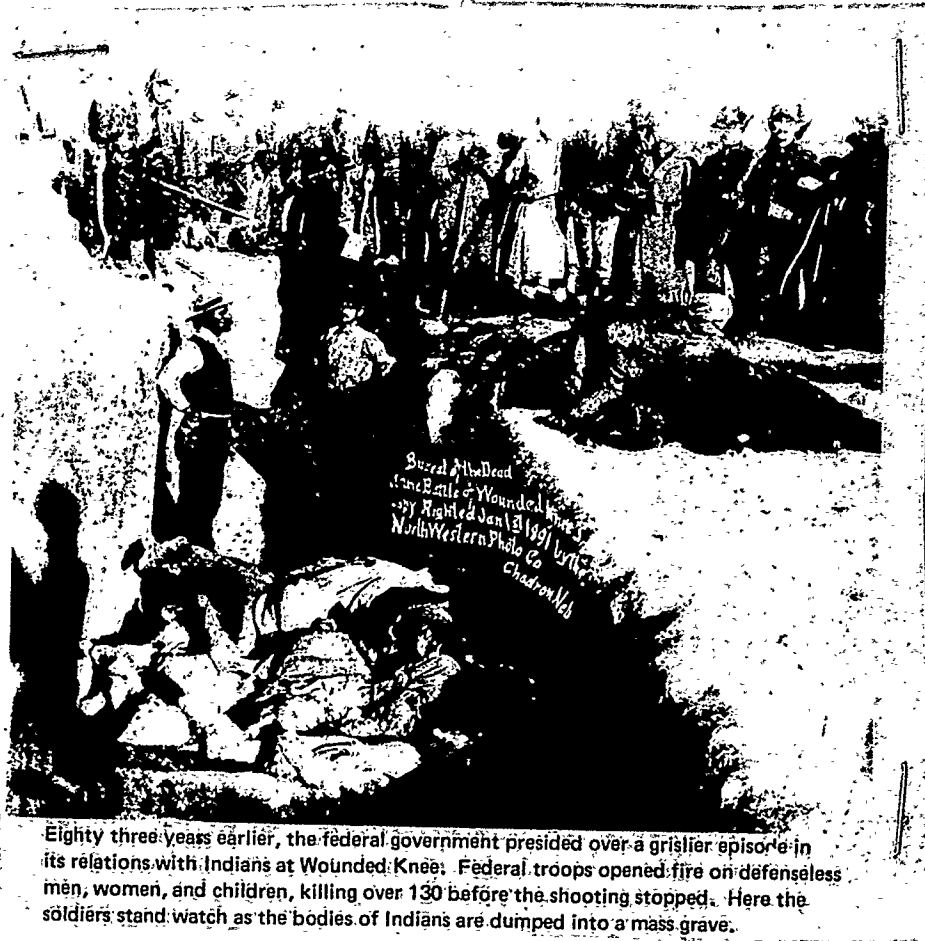
- to mount an intensive investigation to identify alleged violations of law on the Pine Ridge Reservation by government authorities

- to audit funds of the tribal government and the local BIA

- to institute civil suits to protect local Indians against unlawful use of tribal government authority

- to appoint five White House representatives to negotiate with the Oglala Sioux chiefs and headmen at the home of Chief Fool's Crow. They will discuss each other's understandings of the 1868 treaty. Indians are demanding that the government honor its treaty commitment to recognize Indian nations as separate nations.

On May 8, the independent nation of Wounded Knee came to an end for a time. No one knows how soon again it will be reborn and its citizens allowed their human rights now so long denied.



Eighty three years earlier, the federal government presided over a grislier episode in its relations with Indians at Wounded Knee. Federal troops opened fire on defenseless men, women, and children, killing over 130 before the shooting stopped. Here the soldiers stand watch as the bodies of Indians are dumped into a mass grave.



A group of Indians and their supporters depart from Wounded Knee, under the ever watchful eye of the federal government. Militant AIM members are now demanding that the US honor its treaty obligations to recognize Indian nations as independent countries.

