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FEDERAL BUREAU OF INVESTIGATION

Reporting Office MINNEAPOLIS	Office of Origin MINNEAPOLIS	Date 11/22/73	Investigative Period 1/13 - 11/22/73
Title of Case RUSSELL CHARLES MEANS		Report made by	Typed By:
			crv
		CR - BURGLARY AND LARCENY; ARL - HAZARDOUS FEDERAL OFFICERS; AFO; CONSPIRACY; UNLAWFUL POSSESSION OF FIREARMS	

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PROMPTIVE SUMMARY

Approved: <i>[Signature]</i>	Special Agent in Charge	<i>I am maintained in drawer</i>		
Copies made: <i>(176-2401)</i>		Do not write in spaces below		
4 - Bureau (70-88411) (1 - Criminal Division, U.S. Department of Justice) 1 - DEA, Sioux Falls, South Dakota ④ - Minneapolis (70-8882) <i>crv</i>		70	6882	691
Notations:		<i>[Signature]</i>		

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - Criminal Division, U.S. Department of Justice
1 - USA, Sioux Falls, South Dakota

Report of: [Redacted]
Date: 11/22/73

Office: Minneapolis, Minnesota

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Field Office File #: 70-6882

Bureau File #: ¹⁷⁶⁻²⁴⁰¹
~~70-58411~~

Title: RUSSELL CHARLES MEANS

Character: CRIME ON AN INDIAN RESERVATION - BURLARY AND
LARCENY; ANTI-RIOT LAWS - IMPEDING FEDERAL
OFFICERS; ASSAULTING FEDERAL OFFICERS;
CONSPIRACY; UNLAWFUL POSSESSION OF FIREARMS

PROSECUTIVE SUMMARY

DETAILS:

ARMED AND DANGEROUS

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I. PREDICATION

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Preparation of this prosecutive summary report was initiated upon receipt of a request dated October 25, 1973, from HENRY E. PETERSEN, Assistant Attorney General, Criminal Division, U.S. Department of Justice.

Director
Federal Bureau of Investigation

October 28, 1973

Henry E. Petersen
Assistant Attorney General
Criminal Division

ESP:CSB:LSH:baj

Wounded Knee Leadership Cases

Please prepare a prosecutive summary of the evidence available to prove the charges against Russell Means, Dennis Banks, Clyde Ballcourt, Stanley Holder, Carter Camp and Leonard Crow Dog (the so-called leadership figures). It would be appreciated if you would furnish a copy of such summary to the Criminal Division and to the United States Attorney for the District of South Dakota.

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II. ELEMENTS OF CIR STATUTE

In reference to crimes committed on an Indian Reservation, a crime to be cognizable under the laws of the United States must have been committed by an Indian or against an Indian on an Indian Reservation under the jurisdiction of the United States.

General laws of the United States as to punishment of crimes committed anyplace within the sole and exclusive jurisdiction of the United States, except the District of Columbia, shall extend to Indian country except as to crimes which are expressly provided for. These general laws shall not extend to crimes committed by one Indian against the person or the property of another Indian, nor to any Indian committing an offense in Indian country who has been punished by the local law of the tribe or to any case the exclusive jurisdiction over which has been secured to Indian tribes by Treaty stipulations.

On October 16, 1973, STANLEY D. LYMAN, Superintendent, Pine Ridge Indian Reservation, advised that Pine Ridge, South Dakota, is the headquarters of the Oglala Sioux Tribe and the Pine Ridge Indian Agency is located within the established boundary of the Pine Ridge Indian Reservation. He advised that most of the land within the Pine Ridge Indian Reservation is owned by the United States Government, either outright or intrusted for the Oglala Sioux Tribe or individual Indians.

On March 8, 1973, Mr. [redacted] [redacted] Bureau of Indian Affairs, Pine Ridge, South Dakota, advised that the area known as Wounded Knee, South Dakota, is located within the boundaries of the Pine Ridge Indian Reservation, which is Federally owned property.

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On August 29, 1973, [REDACTED]

[REDACTED] Pine Ridge Agency, Pine Ridge, South Dakota, advised from records that RUSSELL CHARLES MEANS was born on November 10, 1939, at Pine Ridge, South Dakota. He is listed as fifteen thirty-seconds Oglala Sioux and has Enrollment Number U-16542

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III. BACKGROUND AND NARRATIVE OF OFFENSE

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During the weekend of January 13 - 14, 1973, a unity conference was held between Mexican-American and American Indians at Scottsbluff, Nebraska. In the early morning hours of January 14, 1973, Scottsbluff police officers responded to disturbance complaints at a Scottsbluff motel and this resulted in the arrest of RUSSELL MEANS and [redacted]. After being placed in the Scottsbluff cell, MEANS was observed to have a weapon in his pocket, which police officers had not searched at the time of his arrest.

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On January 15, 1973, Chicanos and Indians protested the arrest of MEANS at the Scottsbluff Police Department and later that evening the Junior High School was firebombed causing minor damage. Shortly after the firebombing, a vehicle was stopped and two persons were arrested for possession of destructive device, materials for making a Molotov cocktail. Later that evening, reports were received that AIM and Chicanos were making firebombs in the Guadeloupe Center on East Eighth Street, Scottsbluff, Nebraska. It was learned that [redacted]

JOHN ARBUCKLE, well known Nebraska AIM leader, and several other Indians, had purchased gasoline in a five-gallon can in Alliance, Nebraska. The vehicle in which they were riding was stopped by Scottsbluff County sheriff's officers and officers of the Bureau of Alcohol, Tobacco and Firearms. Observed in the vehicle were a five-gallon gasoline can, plastic containers and torn rags. Also seen was a small pistol. All five persons in the vehicle were arrested and charged on a local level with carrying concealed weapons and possession of destructive devices.

On January 17, 1973, following a preliminary hearing for the five individuals arrested, officials of the Community Action Agency telephonically called police complaining that Indians were causing trouble at the agency office. Police responded, however, the individuals refused to leave and sheriff's deputies and police proceeded to remove these individuals from the office. According to officials, resistance ensued and several arrests were made.

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The above information at Scottsbluff, Nebraska, was furnished by Police Chief JAMES A. TEAL, JR., Scottsbluff, Nebraska.

The Albuquerque Division of the FBI advised that on January 28, 1973, six male Indians took over the Public Health Service Indian Hospital, Gallup, New Mexico. The Indians were armed with rifles and claimed to have explosives and threatened to demolish the hospital. Subjects made demands of the hospital administration concerning medical care for the Indians and stated that they were occupying the hospital on behalf of AIM. After discussions with an FBI Agent and the District Attorney, all six individuals surrendered and were taken into custody. Indictments were returned by the County Grand Jury on February 2, 1973, on nine counts, including aggravated assault, criminal trespass and unlawful use of public property.

On January 24, 1973, JOHN MANKE, Sheriff, Fall River County Hot Springs, South Dakota, advised that DENNIS BANKS and RON PETITE appeared at his office inquiring concerning the stabbing of WESLEY BAD HEART BULL on January 21, 1973. BANKS complained that there was not enough police protection for Indians.

On January 29, 1973, BANKS appeared on Rapid City television angrily accusing the States of Nebraska and South Dakota of being racist. He established February 6, 1973, as a "National Day of Indian Rights" and called for all tribal Indians to convene at Custer, South Dakota, for what he described to be "their finest hour."

On February 1, 1973, the "Omaha World Herald," an Omaha, Nebraska, daily newspaper, reported that RUSSELL MEANS spoke to a group of 50 Indians at a meeting Wednesday night, January 31, 1973, at which time he called for Indians to join an AIM protest caravan to Custer, South Dakota, where he expected 1,000 Indians to gather in front of the Custer Court House, Tuesday, February 6, 1973, to protest the charge of manslaughter against a white man accused of fatally stabbing an Indian.

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On January 5, 1973, the "Rapid City Journal," a daily Rapid City, South Dakota, newspaper quoted RON PETITE, former Executive Director of the Sioux Indian Emergency Care and Rehabilitation Center, Rapid City, as saying he requested that AIM come to Rapid City to "chain up the doors of big business enterprises, Federal agencies and state and local community service agencies."

The Minneapolis Division of the FBI advised as follows:

On February 6, 1973, a caravan of 27 cars loaded with Indians left Rapid City, South Dakota, and proceeded to Custer, South Dakota. DENNIS BANKS, RUSSELL MEANS and two other Indians entered the Court House and met with the state's attorneys for Custer and Fall River County. After about seven minutes of argument, MEANS left the room and was reported by local officers to call on Indians to break into the Court House and burn it. They surged into the Court House and fought with local police officers. When fighting started, BANKS produced a club and beat on desks and furniture. Two Custer sheriff's patrol cars parked in front of the Court House were destroyed by the crowd. Members of the crowd poured gasoline onto the hallway of the Court House and ignited a fire causing extensive damage to the lower floor. A fire was set at an unoccupied Chamber of Commerce building across the street, which burned to the ground. Local and state police in Custer arrested 24 individuals, including RUSSELL MEANS, on charges of arson, riot and assault.

On February 27, 1973, approximately 200 American Indian Movement (AIM) members and supporters assembled in Calico Hall, Calico, South Dakota, and were addressed by RUSSELL MEANS and CLYDE BELLECOURT. Approximately 50 activists armed with rifles, shotguns, pistols, clubs, and knives were present.

Following this meeting, a motor caravan was formed and traveled from Calico, South Dakota, to Wounded Knee, South Dakota, both towns being located on the Pine Ridge Indian Reservation.

During the evening of February 27, 1973, under the primary leadership of RUSSELL MEANS, DENNIS BANKS, CARTER CAMP, CLYDE BELLECOURT, PEDRO BISSONETTE, STANLEY HOLDER, and LEONARD CROW DOG, approximately 200 Indians (160 adult males and 40 women and children) seized a church and the Wounded Knee Trading Post in the town of Wounded Knee. During the evening and on the following day, 11 white hostages, including a Roman Catholic priest, were also seized. It is noted that these hostages were later permitted the option of leaving Wounded Knee if they so desired. The Indians burned bridges on the two roads entering the town, established roadblocks, built bunkers, and assigned armed guards to various positions and patrols to secure and maintain their possession of the town as well as to impede Federal officers in the performance of their official duties.

In the ensuing days, the Indians and Federal law enforcement officers engaged in a number of fire fights and individual actions in which one Federal Bureau of Investigation (FBI) Special Agent and one United States Marshal were wounded and one FBI Special Agent assaulted. In addition, several police and fire vehicles were damaged by rifle fire.

In furtherance of the occupation of Wounded Knee, homes and house trailers were seized by the Indians and used for shelter and feeding and for the organization of security patrols. The Wounded Knee Trading Post and adjacent museum were looted, as were private homes in the area. The

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Trading Post was ultimately destroyed by fire and several homes, trucks, and automobiles belonging to local residents were likewise set afire and destroyed by the Indians.

Negotiations between the Indians and representatives of the United States Government were instituted shortly after the initial takeover of Wounded Knee. On May 8, 1973, after 70 days, a disarmament agreement was implemented and the occupation of Wounded Knee came to an end.

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IV. INFORMATION RELATING TO PRELIMINARY PROSECUTIVE ACTION

