

## For Immediate Release

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Pictures available: <https://drive.google.com/open?id=0BzEKNLJqG3cweTnrLWdFRIVidms>  
<http://www.co.morton.nd.us/>  
<https://www.facebook.com/MortonCountySD>

### Explosion among protestors a result of their criminal activity

Bismarck, ND -- At approximately 3:00am on November 21, law enforcement reported approximately 60 protestors near the Backwater Bridge located north of the protest camps. By this time, unlawful protestor activity had de-escalated but law enforcement noticed two males and a female using a barricade of plywood wrapped in a blue tarp to hide their activity under and around the remaining burned vehicle located on the north side of the Backwater Bridge. After repeated orders from law enforcement to come out from behind the barricade, and attempts to force them out with less than lethal direct impact of bean bags and sponge rounds, officers noticed subjects approach the area where one of them rolled multiple metallic cylinder objects toward the subjects positioned under or around the burned vehicle.

“The subjects were given opportunities to retreat back, but it became obvious that they were tampering with the vehicle or planting a device,” said Highway Patrol Lieutenant Tom Iverson. “Their strange mannerisms led law enforcement to believe they were there for a purpose with a calculated effort to either cause harm or breach the line.”

After the cylinders were rolled near the burned vehicle, an explosion, witnessed by law enforcement, occurred and several protestors ran to the area, pulled a female from under the burned vehicle, and fled the scene.

Law Enforcement had received information that protestors were using one-pound propane cylinders as explosives and the North Dakota Bureau of Criminal Investigation with support from Federal Bureau of Alcohol, Tobacco and Firearms recovered three of these propane canisters from the site of the explosion. Investigators also collected rocks and glass jars consistent with the design of Molotov cocktails that were used as weapons against law enforcement. Investigators collected other evidence from the scene and their investigation is ongoing.

“We are aware of the information about the woman on social media who has claimed she sustained injuries to her arm due to law enforcement tactics. The injuries sustained are inconsistent with any resources utilized by law enforcement and are not a direct result of any

tools or weapons used by law enforcement,” said Iverson. “This incident remains under investigation by the North Dakota BCI and ATF. Additional details will be released as the investigation progresses.”

At the time that law enforcement was engaged in attempts to force the subjects away from the burned truck, radio announcements coming from the protestors declared that all females were to leave the protest, individuals were coming from the camp with guns, and live streaming was to cease. This led law enforcement to believe the protestors were preparing to charge the line and conduct criminal activity the protestors did not want recorded.

#### **SIDEBAR: Use of water as a less-than-lethal tool for riot control**

On the evening of November 20, Law Enforcement requested water from the Mandan Rural Fire Department trucks to put out several fires set by protestors. As the aggression intensified by the protestors, law enforcement used CS gas to control the protestors but wind conditions caused it to be ineffective. Law Enforcement commanders had to assess the violent acts of protestors and determine how to maintain the safety of officers. Those commanders made the decision to use water and warned the protestors repeatedly that water would be used and gave them opportunity to disperse. Instead of dispersing, agitators yelled at law enforcement, “Hit me! Hit me!” and many were running directly toward the water. The water was used once protestors attempted to tow away the remaining burned truck and comments being yelled by protestors included, “We are willing to die for this,” and “We get paid for this.” The protestors were also taunting officers saying, “You are outnumbered.” This led law enforcement to believe the protestors were preparing to overrun the barricade on the north side of the bridge. Because of this threat and that other law enforcement tactics were not effective, water was the chosen less-than-lethal tool to use to hold back protestors.

“Due to the fact that the commanders are there and see, feel and understand the environment, I am confident that the decision made to use water was the correct one,” said Morton County Sheriff Kyle Kirchmeier.

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