

BIA Agent on the FBI:

What REALLY happened

By Paul Berg, 20 December 2000

To the President of the United States

Office of the White House Council

1600 Pennsylvania Avenue

Washington, D.C.

Dear Mr. President,

My name is Paul Berg and I am writing in regard to the case of Leonard Peltier. As a BIA employee who served with the FBI during the siege of Wounded Knee in 1973, I have information to share that may be of value to you. Prior to coming to the Pine Ridge Reservation I had served the Vietnam War with Naval Intelligence. I was part of a team charged with locating bunkers, artillery positions and staging areas around Khe Salm. My military experience provided me with limited, but useful familiarity with siege operations.

After I was discharged from the Navy, I graduated with a Bachelor's Degree in Education at Pacific Lutheran University in Tacoma, Washington. I was a teacher on the Pine Ridge Reservation from 1971 to 1976 and had a unique opportunity to observe the tribulations first hand. Since leaving the Reservation, I have lived and worked in Alaska as a bush village teacher, an education Specialist for the Alaska Department of Education and as a faculty member for the University of Alaska. In 1991 I was under contract by the US Department to write a paper for the Indian Nations at Risk Task Force meeting at the White House. The US Dept. of Education graciously referred in their literature as a national expert in this field. I have also written a number of articles and co-authored several books in the field of education technology. At the present time I am the owner and headmaster of Thunder Mountain Academy, a private middle school in Juneau, Alaska.

In determining clemency for Leonard Peltier I believe that it is very important that you be provided with insight into the historical and social contexts that lead up to the tragic deaths of agents Williams and Kohler on the Pine Ridge Reservation in June of 1975. In 1971, when I arrived on the Pine ridge Reservation in South Dakota, the weight of historical events was evident, even among the children. When I asked my seventh graders to write an essay entitled Ten Years From Now, half my students wrote about their own death. The source of this hopelessness lay in the recent past. The Sioux and the 7th Cavalry clashed in the Battle of the Little Big Horn in 1876. Subsequently the participating bands of Sioux were hunted down and confined in conditions of squalor on Federal Reservations. In 1890 the Sioux were broken as a culture and as individuals. They collectively embraced the Ghost Dance, a form of cultural hysteria. Government agents at Pine Ridge incorrectly interpreted the Ghost Dance as an aggressive threat to non-Indians and called in the army. As fate would have it, the responding army unit was the 7th Cavalry, an Army unit with a score to settle with the Sioux. At Wounded Knee Creek on a cold winter day, the 7th Cavalry extracted revenge by massacring over 200 old men, women, and children. It cannot be emphasized enough that the Battle of Little Big Horn was a battle between armed soldiers on both sides. Wounded Knee, in contrast, was a massacre of mostly unarmed people by a military unit bent on revenge. Women, and children were found as far as two miles from the site. The women had thrown blankets over the children so that they would not see their executioners. Congressional Medals of Honor were awarded to several of the soldiers in the massacre. These medals have never been recalled. The people on Pine Ridge Reservation have lived with the collective cultural memory of a government massacre.

In 1973, on the second day of the siege of Wounded Knee, I brought a powerful field scope to the hills above Wounded Knee and began observing. After an hour I approached the FBI roadblock north of Wounded Knee and reported the construction of a bunker north of the Catholic Church in the village. I also told FBI agents that the bunker was no threat, only a symbol for the media, because it was being constructed far forward of the military crest of the hill in an exposed position. The agents received my report of the new bunker with alarm, but seemed unable to comprehend the tactical information. These agents had no military field experiences.

The next day I was reassigned from my normal BIA duties as a teacher (the schools were closed anyway) to become a spotter for the FBI. I was armed with an assault rifle

and became part of the FBI operation. While in this role I was able to observe the FBI operation under live fire conditions. There were several surprises. The first was that the FBI agents were unprepared and untrained for a tactical operation on an Indian Reservation. They did not understand field operation and were physically, emotionally and doctrinally unprepared to conduct a siege. Secondly, most of the agents were flown in from urban areas and were disoriented to the point of bewilderment. It was akin to being placed in a foreign country with strange looking people without a roadmap or plan of action. Put in this situation, the younger agents seemed particularly prone to overact to perceived threats. And last, as the siege progressed several of the less experienced agents did brutalize the local people.

The FBI had a thoroughly nasty habit of stopping their cars on reservation roads and aiming their M-16's at approaching vehicles. Since FBI cars were unmarked, people approaching in an oncoming vehicle would frequently panic and flee. The agents would pursue and apprehend the fleeing vehicle. One of these pursuits took place the FBI team was assigned to. An old man and woman with their six-year old grandson and ten-year old granddaughter were run off the road. Everyone was made to lay spread eagle on the ground. One of the FBI agents nudged the girl with the barrel of his weapon like he was going to roll her over. The child was trembling and whimpering in fear. A tribal employee and myself reported this incident to the FBI leadership in Pine Ridge. The two agents denied any wrong doings. However other federal agents in the vicinity had witnessed enough to verify our report. I do remember a man coming to see me who, I was told, was the number two FBI agent in charge of the siege. I explained to him that what was done to the child would affect her for the remainder of her life. I explained to him that I was a teacher and that I did not want to be placed in situations where I would be in direct conflict with armed and out-of-control FBI agents. He informed me that two agents were being removed from the reservation immediately. He also told me that he needed me in this position and asked me to stay on as a liaison officer with the FBI. He said that a number of the younger agents did not know what they were doing, they needed guidance or people were going to be killed. He also promised to support me if anything like this happened again. After he put that responsibility on me, I agreed to continue.

After this I received a message from the American Indian Movement. The essence of the message was that as long as I keep those animals from killing anyone, they would have

no problems with me. I was also advised by AIM to never fire any weapon and to never point any rifle at anyone.

Several weeks later I witnessed two young FBI agents panic under fire. The agents were on the perimeter in a bunker. They were under fire and, in one of strangest events I have ever witnessed, they seemed to lose their nerve. They overacted by yelling and screaming for help. I asked Federal Marshals to extract them in M113 (armored personal carrier), much to the chagrin of the Marshals.

The Wounded Knee siege lasted over 70 days. The two years following the siege were a hell on the Pine Ridge Reservation. Scores of people were killed in beatings, drive by shootings or disappearances. Government records substantiate at least 60 unsolved murders during this time. The actual number may be as high as several hundred. The main instigators of the violence were the Guardians of Our Oglala Nation-the GOON Squad. These were supporters of Tribal Chief, Dick Wilson. It was common knowledge on the Reservation at the time that several members of the GOON Squad were off-duty tribal police. In the plains South Dakota, America had a situation similar to present day Columbia; the police were participating in killing squads assigned to neutralize political opposition. These officers were being paid with Federal money and the situation was allowed to continue on a Federal Reservation. The victims of the violence were mostly full-blooded and traditional Sioux, who were political, opposed to what they perceived as corrupt, self-serving tribal leadership.

Many people on the Pine Ridge Reservation were living in fear of their lives during this time. I witnessed the effects of this pervasive fear on a number of occasions. Once, when I was driving along the road from Pine Ridge to Wounded Knee I saw 8 or 9 vehicles stopped along the road. I stopped to see what was going on. People were lined up on the roadside looking down at a body of a woman in the ditch. Then I noticed that the body was moving. No one moved to help her. People were concerned, but too fearful to give direct help. To aid her would be to align one's self against those who left her in this condition. I, as a non-Indian and a mission teacher, (having resigned from the BIA after the siege) was under no such constraint. I went down to her and addressing her as Grandmother helped her up to my vehicle. No one helped. Fear of retribution overcame sympathy.

The traditional people on the Reservation felt abandoned by any form of civilized protection. And in reality, this was true. When the GOON Squad came to Wamblee to punish the community for opposition to tribal chairman Dick Wilson, the local residents were able to call through to the FBI office in Rapid City. The residents informed the agents that the community was under attack. They were told that the FBI is an investigative agency, not an enforcement agency. The FBI took no action and the shooting went all night without intervention. One resident was killed that night. (This incident was verified by the US Commission on Civil Rights.)

When I worked with the FBI, several other liaison personnel and I made efforts to educate the young FBI agents about the danger of acting aggressively in this climate of fear. We explained that people were afraid of being killed. I remember after one particularly unnerving incident I began shouting at several agents that they were going to get themselves killed by pointing guns at people. I tried to impress upon them that posturing with guns would not work on the Reservation. The hands up, I've got you covered, mentality may work in urban America, but on the Reservation, people assumed that if you had a gun pointed at them you intended to kill them. They also knew that no one would be held accountable for their killing. We would tell the agents not to lead with a gun, but instead lead with kindness. Call a man Sir and a woman Ma'am, even if you are doing a search or taking someone into custody.

Into this climate of intimidation, fear and killing walked two young agents Williams and Kohler. According to testimony, agents Williams and Kohler approached a compound with weapons drawn. That posture, at that place and time, was a signal which sent the message We are going to kill you! They were apparently aware of the historical legacy of sanctioned, official violence on the Pine Ridge Reservation, nor were they aware of the level of fear in the minds of the traditional Sioux. Their deaths were a tragedy, part of the on-going human tragedy of the Pine Ridge Reservation. The manufactured evidence against Peltier is another issue that I cannot address in this letter, but it has been thoroughly documented by others.

What has happened, Mr. President, is that the Federal bureau of Investigation demands a victim for the death of these young men. The agency and the Federal Government have taken no responsibility for the condition that lead the agents' death. And no one is concerned about the killing of Native American Joe Stuntz during the same Incident that took the lives of agents Williams and Kohler.

Please rise above the politics and racism and allow Leonard Peltier to have justice. Let him go home. I urge you to have the moral courage to do the right thing. History will thank you.

Sincerely,

Paul Berg