



Rabbi Jonah Pesner
Director

Isabel P. "Liz" Dunst, Chair
Commission on Social Action of Reform Judaism

Arthur and Sara Jo Kobacker Building
2027 Massachusetts Avenue, NW
at Kivie Kaplan Way
Washington, DC 20036

202.387.2800

Fax: 202.667.9070

E-mail: rac@urj.org

Visit our website at www.rac.org

Attorney General Loretta Lynch
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, DC 20530-0001

December 1, 2016

Dear Attorney General Lynch,

On behalf of the Union for Reform Judaism, whose more than 900 congregations across North America, including those in Fargo and Grand Forks, encompass 1.5 million Reform Jews, and the Central Conference of American Rabbis, which includes over 2,000 Reform rabbis, I write to express our deep concern for the ongoing treatment of and danger to protesters at the Dakota Access Pipeline near the Standing Rock Sioux Tribe's reservation. Our tradition teaches that all human beings are created in the image of God. In recognition of the Divine spark present in all, the protesters must be treated with dignity and respect, and afforded the ability to make their views heard without fear for their safety.

As you well know, the Dakota Access Pipeline will allow crude oil to be transported over 1,170 miles from North Dakota to Illinois including underneath the Missouri River. The project could affect the physical and cultural well-being of the Standing Rock Sioux Tribe, whose ancestral burial grounds are situated less than one mile from the proposed building site and whose livelihood depends upon water from Lake Oahe,¹ a reservoir formed by a dam on the Missouri River. Over the past several months, thousands of Americans have joined in solidarity with the Standing Rock Sioux Tribe to oppose or curb the pipeline's construction.

We understand the tense nature of these protests and have great appreciation and respect for the difficult and dangerous work of law enforcement officers. We also remain very concerned by reports indicating that law enforcement and security at the protest site have on multiple occasions responded to activists with unnecessarily excessive force. Just last week, over 160 people were reportedly injured at Backwater Bridge,² on a highway between the reservation and Bismarck, ND. Press reports state that unarmed Native Americans and allies were drenched with water cannons despite frigid temperatures and attacked with rubber bullets, pepper spray, concussion grenades and tear gas. 21-year old protestor Sophia

¹ <http://www.npr.org/sections/codeswitch/2016/11/22/502068751/the-standing-rock-resistance-is-unprecedented-it-s-also-centuries-old>

² <http://www.nytimes.com/2016/11/23/opinion/power-imbalance-at-the-pipeline-protest.html?smid=tw-nytopinion&smtyp=cur&r=0>



The Religious Action Center pursues social justice and religious liberty by mobilizing the Jewish community and serving as its advocate in Washington, D.C. The Center is led by the Commission on Social Action of the Central Conference of American Rabbis and the Union for Reform Judaism (and its affiliates) and is supported by the congregations of the Union.



Wilansky³ was hit with an explosive device that multiple witnesses have said came from law enforcement. Ms. Wilansky now faces multiple, difficult surgeries and risks losing her hand. Reports also indicate that private security companies have used attack dogs against unarmed protesters.⁴

The First Amendment to the Constitution of the United States guarantees freedom of religion, freedom of speech, freedom of the press, and freedom of assembly. These bedrock rights guarantee the preservation of a pluralistic society in which those who espouse diverse and even conflicting views may express them without fear. Protesters at the Dakota Access Pipeline are exercising their constitutional rights to free speech and assembly, and the use of excessive force by law enforcement and security threatens those freedoms.

As members of a religious minority, we cherish First Amendment protections, not only because they are the hallmark of liberty, but because we also know that the vibrant political discussion they foster strengthens our nation.

We recognize the complexity of the situation. And while the pipeline is now paused due to both tribal and governmental action, we urge you to work with law enforcement and other officials and to ensure that safety and rights are upheld.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonah Dov Pesner', with a long horizontal flourish extending to the right.

Rabbi Jonah Dov Pesner

Cc: Vanita Gupta, Principal Deputy Assistant Attorney General

³ <http://forward.com/news/355224/grenade-tears-limb-off-jewish-21-year-old-at-standing-rock-protest/>

⁴ <https://www.theguardian.com/us-news/2016/oct/26/north-dakota-pipeline-protest-guard-dogs-charges>