

Declaration of Vanessa Dundon

I, Vanessa Dundon, do declare and say:

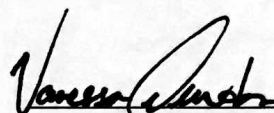
1. I am a thirty-two-year old woman and a resident of White Cone, Arizona and I make this declaration in support of plaintiffs' request for injunctive relief against the unconstitutional treatment of persons demonstrating against the Dakota Access Pipeline. The information contained in this declaration is based on my personal knowledge and if called to testify, I could and would competently testify thereto.
2. I am an enrolled member of the Navajo Nation.
3. I am a supporter of the movement to stop the Dakota Access Pipeline. I came to the water protectors' camp September 11, 2016, to stop the pipeline's desecration of ancestral sacred and burial sites and its threat to the environment and water supply. I also came to stand up for indigenous peoples' rights.
4. On Sunday, November 20, 2016 at sundown around 7:00 or 8:00pm I went to backwater bridge immediately north of Oceti Sakowin camp on Highway 1806 to peacefully protect the water and to stop the pipeline from going through the Missouri River. It was very cold outside.
5. I was one of the first people to arrive at the bridge. When I arrived at the bridge, other water protectors were removing one of the burned out trucks from the bridge so emergency vehicles could reach camp. Army Corp had promised to remove the vehicles that had been placed there by law enforcement, but they never did so people in camp mobilized to remove the vehicles.
6. After the first truck was removed, a group of water protectors began to remove the second truck and I saw a woman alone at the frontlines in front of a line of law enforcement, she appeared to be media. I told her to move out of the way and she went to the side of the road. At that moment, she and I were the closest people to the line of law enforcement officers.
7. As I watched her move to the side of the road, I heard a tear gas cannon go off. I have heard tear gas canisters be shot at prior actions during the time I have been at Standing Rock so I knew what the sound was. I looked to see where the tear gas cannon was being shot and saw that it was coming straight for my face. I was surprised because usually the canisters are shot into the air, but these canisters were shot directly at me.

8. I did not have time to move to avoid being hit by the canister. I saw the tear gas canister was aflame and about a foot from my face. I instinctively closed my eyes and was struck in the right eye by a canister.
9. After I was shot in the eye, I fell to the ground and grabbed my bandana to cover my eye and turned around to run away. I was then shot in the back of my left leg right below my butt with a rubber bullet.
10. The shot with the bullet caused me to fall down. I couldn't see well and was in pain so I called out for help. At that point two water protectors grabbed my arms and we ran away from the frontline until I reached a minivan. I could still not see at this point and was trying to open my eye. My eye was bleeding so much that I could not see and I was worried my eyeball was hanging out.
11. I was one of the first people on the bridge so no ambulances were there yet so I had to be transported by a minivan. In the minivan a male EMT from camp helped clean my face up and told me my eye was intact and was not coming out of my head. Then I was driven to the medical yurts. At the yurts butterfly stitches were placed on my eye to stop the bleeding.
12. I was then transported to the Emergency Room at Sanford Hospital in Bismark, North Dakota. At Sanford Hospital I was seen by ophthalmologist who put several stitches in my eye and I was kept overnight in the ER. I was also given an MRI of my right eye while I was there.
13. At 8:30am the next morning on November 21, 2016, I was awoken by hospital staff and told that I had an appointment at 1:30pm that day and I should leave the hospital and come back. I was alone and was walked to the lobby and was very dizzy and almost passed out.
14. Once I got to the lobby, I laid down to wait for my cousin to come pick me up. My cousin called the hospital and said she would come to get me. I laid down in the lobby while I waited and security approached me after awhile. I told them I was still dizzy and could not stand long, they checked me back into the hospital.
15. I then saw the doctor and told him everything that had happened. He called Social Services and they discharged me at about 10:30am but I did not have a ride yet so I was sent to the doctor's office for my afternoon appointment by taxi. The doctor advised me that I needed to see a retina specialist. Someone from camp picked me up from the doctor's office and drove me to Grubes Retina Clinic in Mandan, North Dakota.

16. When I arrived at Grubes Retina Clinic they refused to treat me. I think they refused to treat me because they knew I was a water protector from Standing Rock. The people from camp who drove me to the clinic tried to demand that I be treated but they refused.
17. After Grubes, I spent the night in Fargo at my cousin's house. I was driven the next day to the Emergency Room in Acensia Hospital in Fargo, North Dakota. In Acensia, I was given an ultrasound of my right eye and told that there was so much bleeding and hemorrhaging that it was difficult to determine the extent of damage to my right eye. I was told there was a possibility that my retina was detached and there was likely some damage to my cornea. I was advised to see a retina specialist the next day.
18. The next day, November 23, 2016, I went to see Dr. Baggins, another ophthalmologist, in Fargo. Dr. Baggins examined me and told me the injury to my eye was very serious and said most likely my retina was detached. He also said that even if it wasn't yet detached, it likely would in the near future because of the injury and that my eye would take several months to heal and determine the full extent of the permanent damage. He said I needed to be seen by a specialist in Minnesota for further treatment. He set an appointment for me to see Dr. Robert Mittra in Plymouth, Minnesota on November 25, 2016.
19. On November 25, 2016, I was seen by Dr. Mittra. He did another ultrasound of my right eye and put ointment on it and bandaged it so the swelling could go down. He told me I had a cut on my eyeball and the swelling needed to go down before I could receive further treatment.
20. Dr. Mittra said treatment for my eye will take months and several follow up appointments. He advised that I do not return to my home in Arizona because of the elevation difference, which could harm my eye. He also told me not to lift anything, cough too hard or otherwise put pressure on my eye.
21. Dr. Baggins said the trauma to my eye will likely affect my vision for the rest of my life and it is unclear at this time if I will be able to see out of my right eye again.
22. My eye is in severe pain and causes pain on the right side of my face. I have difficulty sleeping because of the pain. There is an almost constant throbbing and pressure in my eye.
23. As a result of these events, I worry that I will be subjected to further abuses if I continue to participate in actions to protect the water in Morton County. As a result of the actions of the Morton County Sheriff and assisting agencies, I am afraid and nervous about

participating in further First Amendment activity in opposition to the Dakota Access Pipeline in Morton County even though I want to gather and assemble peacefully with others who share my views.

I declare under penalty of perjury that the above is true and correct and that this declaration was signed on 28th day of November, 2016, in Minneapolis, Minnesota.


Vanessa Dundon