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John Red Shirt sits outside one of the convenience stores that sell beer in Whiteclay, Neb., just across the state line from South Dakota's Pine Ridge Indian Reservation. (Karl Gehring / Denver Post / January 31, 2013)

[Latimes.com/news/nation/nationnow/la-na-nn-pine-ridge-liquor-laws-20130305,0,3691824.story](http://latimes.com/news/nation/nationnow/la-na-nn-pine-ridge-liquor-laws-20130305,0,3691824.story)

S. Dakota's Pine Ridge tribe is at 'breaking point' over alcohol

By John M. Glionna

Every time she drives into Whiteclay, Neb., over the border from the Pine Ridge Reservation in South Dakota, Natalie Hand sees the images that turn her stomach.

Countless people passed out on the side of the road, drunk. Women willing to sell their bodies for a bottle of beer.

They'll all Native Americans, members of her Oglala Lakota tribe.

While alcohol is banned on the reservation, booze shacks like those in Whiteclay, run by non-Indians, have long done a demon's business along the border, selling alcohol to Native Americans, even minors, ignoring the fact that the tribe has a collective drinking problem, tribal members say.

It's not only capitalism at its most perverse, the members say, it violates a treaty elders signed with the federal government to keep alcohol outside a 10-mile buffer area.

For years, the [tribe has fought back with protests and a lawsuit](#), to no avail. That activism continued in recent days via a series of protests outside the four liquor outlets in Whiteclay. These protests have raised the ire of the local sheriff, who rallied deputies to push activists back onto the reservation, across the Nebraska-South Dakota border.

"We've reached a breaking point," Hand, a tribal activist, told the Los Angeles Times. "We're tired of the issue of Whiteclay."

The tribe has been joined by activists from the American Indian Movement, as well as the nonprofit Alcohol Justice.

"The liquor has been there for generations, taunting the people of the tribe," Jorge Castillo, advocacy director for Alcohol Justice, told The Times. "These stores need to be investigated for illegal activity. They sell to minors and to clearly intoxicated people. Indian mothers take their welfare checks there, and the stores allow them to run tabs."

In the summer, he says, as many as 50 people line the roadways, loitering and drinking for days, after making the walk south from the reservation's population centers. Castillo says the sales have become a plague on Pine Ridge: 25% of tribal youths there suffer from fetal alcohol syndrome and 75% of adults suffer from alcoholism.

And yet the sales continue unhindered by the Nebraska state alcohol board or the federal government.

"These licenses should be revoked," he said.

Pine Ridge is one of the nation's largest Indian reservations — nearly 3,500 square miles. Horses roam and the sky is an endless expanse. The census lists the population as 18,800. The tribe says it's closer to 40,000.

The most recent protests began last week, when a busload of 100 Native Americans arrived in Whiteclay from a celebration of the 40th anniversary of the tribe's occupation of the Wounded Knee site, where Indians were slaughtered by the U.S. Cavalry in 1890.

In the ensuing days, the tribal members returned three more times, on each occasion their numbers swelling, prompting a response by the Sheridan County sheriff's office in Nebraska.

Activists say that Sheriff Terry Robbins threatened to arrest the protesters if they set foot in Nebraska.

Hand said that a treaty signed with the U.S. government in 1868 at Fort Laramie, in present-day Wyoming, established a 10-mile buffer zone outside the reservation in which alcohol was forbidden.

"Now there are four liquor stores in the unincorporated hamlet of Whiteclay, selling more beer than in any other city in Nebraska within walking distance from Pine Ridge Village on the reservation," she told The Times.

Alex White Plume, a spokesman for the Black Hills Sioux Nation Treaty Council, said the bars in Whiteclay had remained opened for years despite protests from the tribes.

In June, 150 tribal members marched into Whiteclay and placed large eviction banners on the liquor stores. Two months later they returned with environmental activists who blocked traffic into town. Sheriff's deputies ushered them into a horse trailer and hauled them away.

"We have a treaty behind us -- when we ask them to leave, they should leave," White Plume told The Times. "Sheriff Robbins is trying to follow the white man's laws in Indian country. He needs to make a moral decision."

The Sheridan County sheriff's office did not return calls seeking comment.

Castillo said that the tribe sought to negotiate a settlement, with the U.S. Department of Justice serving as mediator, but tribal officials eventually voted down an offer to impose a 1% tax on all alcohol sales -- money that could be used for alcohol-related treatment. The money, tribal elders say, would have amounted to a drop in the bucket.

Castillo told The Times that federal officials seemed more interested in maintaining alcohol sales at their current levels than observing the treaty the government signed with the tribe.

"The DOJ asked the Oglala Lakota activists at the mediation meeting to stop their protest as a sign of a good faith effort in the ongoing talks. The activists did not agree to stop their nonviolent actions because there was nothing offered by the liquor store establishments that seemed to mediate the harm caused by the illegal alcohol activity going on at Whiteclay," Castillo said.

"In fact, the only agreement that the liquor stores owners made was to not sell alcohol to minors, not trade alcohol for sex, not sell to intoxicated people, which should not be taking place anyway," he said.

Activists, led by White Plume, on each visit conducted the Lakota tradition of "counting coup" on each of the liquor stores, touching them with their hands or an eagle feather staff.

The Lakota believe that when you count coup on an enemy, death soon follows. They believe that this act will essentially kill the liquor stores, Castillo said.

Last year, the tribe sued in federal court against the liquor stores and beer makers, arguing that the stores and manufacturers knew, or should have known, that alcohol purchased in Whiteclay would end up illegally smuggled onto Pine Ridge.

The federal judge hearing the case acknowledged a problem. In his order, U.S. District Judge John M. Gerrard wrote, "There is, in fact, little question that alcohol sold in Whiteclay contributes significantly to tragic conditions on the reservation." He added, "And it may well be that the defendants could, or should, do more to try and improve those conditions for members of the tribe."

But Gerrard said he did not have the jurisdiction to take the case.

Anheuser-Busch, which produces Budweiser and was named in the suit, has said it is advocating for legislation to increase liquor law enforcement personnel in Nebraska.

Hand said the protests would go on until the alcohol sales stopped.

"I'm a grandmother," she said. "I don't want my grandkids to have to take up this fight. I don't want them to see what I see when I drive through Whiteclay."