

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

RED CLIFF BAND OF LAKE SUPERIOR
CHIPPEWA INDIANS OF WISCONSIN, a
federally recognized Indian tribe, on its own
behalf and as *parens patriae* for its members,

BAND RIVER BAND OF THE LAKE
SUPERIOR TRIBE OF CHIPPEWA INDIANS
OF THE BAD RIVER RESERVATION, a
federally recognized Indian tribe, on its own
behalf and as *parens patriae* for its members,

LAC COURTE OREILLES BAND OF LAKE
SUPERIOR CHIPPEWA INDIANS OF
WISCONSIN, a federally recognized Indian
tribe, on its own behalf and as *parens patriae* for
its members,

LAC DU FLAMBEAU BAND OF LAKE
SUPERIOR CHIPPEWA INDIANS OF THE
LAC DU FLAMBEAU RESERVATION OF
WISCONSIN, a federally recognized Indian
tribe, on its own behalf and as *parens patriae* for
its members,

ST. CROIX CHIPPEWA INDIANS OF
WISCONSIN, a federally recognized Indian
tribe, on its own behalf and as *parens patriae* for
its members,

SOKAOGON CHIPPEWA COMMUNITY a
federally recognized Indian tribe, on its own
behalf and as *parens patriae* for its members,

Plaintiffs,

-v.-

PRESTON D. COLE, in his official capacity as
the Vice Chair and a member of the Wisconsin
Natural Resources Board,

Civil Case No.: 3:21-vs-597-JDP

<p>BILL SMITH, in his official capacity as the Secretary and a member of the Wisconsin Natural Resources Board,</p> <p>SHARON ADAMS, in her official capacity as a member of the Wisconsin Natural Resources Board,</p> <p>WILLIAM BRUINS, in his official capacity as a member of the Wisconsin Natural Resources Board,</p> <p>TERRY HILGENBERG, in his official capacity as a member of the Wisconsin Natural Resources Board,</p> <p>MARCY WEST, in her official capacity as a member of the Wisconsin Natural Resources Board,</p> <p>Defendants.</p>	
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DECLARATION OF ROBERT VANZILE IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

I, Robert VanZile, declare as follows:

1. My name is Swirling Clouds. I am of the Eagle Clan. I am the Chairman of the Sokaogon Chippewa Community since January 18, 2021. The Tribal government operates largely with grants and contracts from federal and other government agencies. Tribal discretionary funds are very limited, and there are many competing priorities for those funds.
2. I am a member of the Grand Medicine Lodge, Midewiwin. I am a Pipe Carrier and a Big Stick Man on our ceremonial drum. I sit on four different drums, and am well versed in our traditions, language and culture.

3. I am here to talk to you about ma'iingan (the wolf). I want to share with you some of our teachings. This is not something that is always written down; it is part of our culture, our traditions, and part of our understanding of the universe.

4. I want to share with you in the English language some things about Ma'iingan, our brother, who is emotionally, culturally and spiritually significant to use. I have had many discussions with Elders and advisors about whether to share this with you.

5. The wolf - we look at this animal as a very sacred animal. It is a friend to us; it is our relative. When our great creator was making the Earth, all of the animals came to the grand council meeting and talked to each other. It was the first council meeting ever held on the continent. One of the first animals to step forward was a deer - waawaashkeshi, a buck. He said, "I want to give my body, my antlers, my hide and my carcass to the people who are not here yet - who are coming." So the waawaashkeshi, the deer, gave all of those things to the original people - the Anishinaabeg.

6. When you say Anishinaabeg, you are saying Original People of this land - all Native people in the universe.

7. We have 11 Tribes in Wisconsin - six Ojibwe, Oneida, Stockbridge-Munsee, Menominee, Potawatomi and Ho-Chunk.

8. All of the Tribes have wolf clans. When we talk about our clans, we are talking about all of the people of these Tribes - not just Ojibwe.

9. The animals at the grand council meeting came forward. When the deer came forward to offer himself to the Anishinaabeg, that is why we harvest the deer. The deer said, "Give me a piece of tobacco as a sacred offering to our Grandmother and Grandfather, and I will be replenished."

10. The bear then stepped forward and said, "I am probably the biggest and strongest, but I am not speaking of my brute strength. I am speaking of my knowledge of the medicines. This is what the people need to survive. I give the people all of my knowledge of where the medicines grow, the roots and the plants. This is what I give to the people."

11. All of the animals then stepped forward and said what they would give to the people - and this did this unconditionally, out of love, for the people that would come and live here. Everything they would need was now here.

12. Then the Anishinaabeg appeared and came to the Earth through the water - weak and helpless beings. All of the animals came forward, including the wolf, and offered man unconditional love. The animals asked, "Offer us tobacco and we will be replenished. Be the stewards of us and this continent. Treat us with respect and we will take care of you. There will be balance - mentally, physically, emotionally and spiritually."

13. Ma'iingan was kind of standoffish, and listened to all the things that were said. The animals talked for days at the council meeting, and he just stood back and listened. He took our spiritual being, the Anishinaabeg (Wenaboozhoo) for a long walk. He wasn't called Wenaboozhoo yet; he was called The Helper. Ma'iingan said to Wenaboozhoo that they needed to take a walk and talk.

14. They went east; they went south; they went west and north. As they walked, they named the trees, the plants, the animals - everything in the universe - everything that came to life after the great flood.

15. Wenaboozhoo and Ma'iingan became pretty close. They became relatives. At the end of the council meeting, Ma'iingan said, "Wenaboozhoo, I have something to tell you. What happens to me will happen to you. I dreamt this last night. I saw death, harm, killing and murder of each other. I saw families hung on the wall - trophies shown to other people. I saw people being run down by dogs until there was nothing left of them, and then they will be killed; shot. I saw all of this in my dream."

16. Wenaboozhoo said, "If that happens to me, it will happen to you." I want everyone to think about if this happened to you. What if it was decided that there would be a hunting season on your family - your relatives?

17. Should we kill the children first? Or the alpha male - the father? Or the mother - even if she is pregnant? That doesn't matter - kill them anyway. Think about how this would affect you.

18. This is how a wolf hunt causes psychological harm to our Tribal Members.

19. Everyone understands that death is part of life, and life is part of death. We go through a mourning process. How we deal with a wolf hunt is personal - we ask questions. "Why? Why are they hurting me and my family?" We feel mad at the world - mad at God. This is the way we feel when we have a death of a relative. This is hurting our Members - our children, our families and our Nation.

20. We have people in our county bragging about how they killed wolves - just because they saw six of them running through the forest. They take pot shots, and they try to kill them.

21. We have hunters sending dogs after the wolves, running them down and killing them. There is no accountability for these killings. When the state declared a quote of

300 wolves, they don't include or talk about the killings that are happening outside of the hunting timeframe. They don't count actual numbers of wolves that are killed. Are we using the best available science? Are we using current or outdated management plans? Aren't we following the 50/50 management plan?

22. If the hunting was for subsistence, we may feel different. But it is not. It is trophy hunting; sport hunting.

23. Taking all of this into consideration, think about when a Native American sees a wolf on the wall? How does it make us feel? It is psychologically harmful to Tribal Members. It affects us spiritually, physically and emotionally.

24. It also affects us in our ceremonial, cultural and subsistence practices.

25. The wolves are part of the ecosystem. There are deer herds in Wisconsin infected with Chronic Wasting Disease (CWD). When wolves hunt, they take the weak animals to keep the herd strong. We need strong herds. We need the body of the waawaashkeshi to feed our families. Killing the wolves affects our sustenance.

26. Wisconsin is using outdated information on the wolf populations. The state used inaccurate information in court to seek approval for the hunt that was held in February 2021. Wisconsin is still using outdated information to set quotas. 50/50 management practices - the Tribe has 50% of the management practices, and the state has 50% of the management practices.

27. While we claim our quota, we do not hunt wolves. We will never hunt our relatives. The trophy hunters took more than allocated - including our quota - and they want to do it again this November. They have no care for the wolf, our relative. They just want to meet, and exceed, the quota.

28. This is harming the ecosystem.
29. And it is not only negatively impacting the wolves. It's important to know that this impacts other wildlife.
30. An example is fish over 20 inches. If we keep a fish that is larger than allowed, we could go to jail for exceeding the size limit. We would also have to pay a fine; we could lose our fishing license, and we would be looked at as "bad fishermen".
31. This past February, Non-Natives overkilled wolves - exceeding the quote by more than 100. Nobody went to jail; nobody was fined.
32. We pay fines when we do something wrong. Why aren't there fines or penalties for Non-Native hunters? The Wisconsin Department of Natural Resources is negligent.
33. I know of a man in our area who one tag in February, but had 16 hunters with him. They all bragged about the number of wolves they shot.
34. Wisconsin hunters overharvest the bear. They shoot bear in their dens and kill females. They don't pay fines or face any consequences. This is poor oversight.
35. The bear love us unconditionally. I shared in the story of the grand council meeting what the bear did for the people. But people in contemporary society don't understand this relationship. There is a reason why we are resilient people. It is because we are people who are connected to Earth and to the animals. They take care of us, and we take care of them. We have that relationship. Wind. Fire. Water. Rock. Remember that.
36. We have to feel sorry for people in contemporary society. There is no one to take care of them. We take our leftover venison to shelters to share with people who are hungry. Love. Sharing. Caring. For family, community, Tribe and Nation.

37. When we net fish and spear, we give fish to single moms in our community and to families unable to fish. When we have something, we give it to the people who need it; people who can use it.

38. Likewise, when we do something wrong, we pay for it. Contemporary society is not paying for anything.

39. This is something that needs to be said. I have cultural responsibilities. I cannot lie - I am a pipe carrier. I sit on the drum. The wolf is our friend - our relative. I worry I am not doing enough.

40. In another story of Big Drum teachings, Ma'iingan shared with us what happens when people pass away. He walks with us in the beginning and at the end of our life.

41. When a person dies, and leaves the physical world and starts changing worlds, Ma'iingan walks with their spirit to the other side. He walks with their spirit for four days and four nights. 24/7.

42. They walk on their journey, a trail, and get to the River of Life. Spirits will be there. One is the bear clan spirit, one is the eagle clan spirit. They will say, "What is your name? What is your clan?" And then they will ask, "What did you do for the people in your lifetime?"

43. Ma'iingan brings us to the spirits who ask these questions. Then we will find out what we did in this world for our people. Our judgment day. This what Ma'iingan does - he walks with the people to help them get to the other side. He does that in this life, and he does that in the next world.

44. Trophy hunters, using dogs, killing for no reason.

45. Here we are living in a society that is killing Ma'iingan any way they can. Guns. Dogs. This is what was done during the time of slavery. Here we are doing it today. Nothing has not changed. It is so unhealthy. Then people wonder why Native people are the way we are.

46. We are loving, caring people. People don't understand us. They don't want to understand us. And they don't want to understand Ma'iingan.

47. They don't know how to be like us because they don't use their hearts as a guide, as a conscious. Our heart is our guide. When we speak from our heart, people have a tendency to listen. Because then we are talking to the good, kind, loving spirit.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on this 30th day of September 2021, at Mole Lake Reservation, Wisconsin.


Robert VanZile