

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA**

ANNE WHITE HAT, RAMON MEJÍA,
and KAREN SAVAGE,

Plaintiffs,

v.

Civil Action No. 6:20-cv-00983

BECKET BREAUX, in his official
capacity as Sheriff of St. Martin Parish;
BO DUHÉ, in his official capacity as District
Attorney of the 16th Judicial District Attorney's
Office,

JUDGE ROBERT R. SUMMERHAYS

MAGISTRATE JUDGE
CAROL B. WHITEHURST

Defendants.

X

DECLARATION OF KAREN SAVAGE

I, KAREN SAVAGE, declare and state as follows:

1. I am a Plaintiff in this case.
2. I am an investigative journalist. I graduated from and have also taught journalism at the City University of New York Craig Newmark Graduate School of Journalism, where I was awarded the Sidney Hillman Award for Social Justice Reporting.
3. My work has appeared in a number of news outlets over the years including, The Appeal, Climate Docket/Climate Liability News, Undark Magazine, Project Earth, Juvenile Justice Information Exchange, In These Times, City Limits, and others.
4. In the course of my work I have covered protests on different environmental and social justice issues, including other pipeline protests around the country. I have observed that activists and protesters often believe it is important and necessary to be at or close to the sites of the injustice or harm they are seeking to highlight, prevent, and remedy.

5. I began covering and reporting on the protests against the Bayou Bridge Pipeline in 2017, and the communities that would be impacted by this pipeline that would through eleven parishes in Louisiana, beginning in Lake Charles in Calcasieu and ending in St. James Parish, in a historic Black community, in the heart of the area between New Orleans and Baton Rouge that is widely known as “Cancer Alley.”
6. The pipeline was planned as the southern end, or segment, of the same network of pipelines as the Dakota Access Pipeline, which drew massive protests and national and international attention.
7. During the course of my reporting, I witnessed diverse opposition to the pipeline – ranging from people who stood to be affected in communities along its route, like the United Houma Nation, who depend on Bayou LaFourche for their drinking water, as well as landowners threatened with expropriation, crawfishermen concerned about how the pipeline would affect their livelihood, and Black residents in St. James, where the pipeline would end, who feared the pipeline would bring more risk of pollution and industry, in addition to local and national environmental advocates and activists.
8. Among other things, my reporting and investigations revealed that employees of the Department of Corrections and St. Martin Parish Sheriff’s Office were moonlighting for a private security firm hired by the company behind the Bayou Bridge Pipeline.
9. This is one of the articles I wrote about my findings and results of public records requests here on this issue: *Louisiana Law Enforcement Officers Are Moonlighting for a Controversial Pipeline Company*, The Appeal, August 28, 2018, available at <https://theappeal.org/louisiana-police-arrest-bayou-bridge-pipeline-protesters/>.

10. I was arrested twice for allegedly violating the law prohibiting unauthorized entry of a critical infrastructure while covering these events.
11. The first time I was arrested was on August 18, 2018, when I was observing protestors in a tree near the construction in a place called Bayou Chene.
12. It was my understanding that the protestors had permission to be there from some of the co-owners of the property, and that I had permission to be there to cover and report on these protests.
13. It was also my understanding that the pipeline company did not have a legal right to be there constructing on the property, because the same landowners that gave the protestors permission to be there had not consented to the pipeline company being there and no court had ruled that the company could be present.
14. It was not my intention to violate the critical infrastructure law either day I was alleged to have violated it.
15. On August 18, 2018, I thought I was being careful and complying with that law, if it applied at all, by standing in an area that was off to the side of the area that had been clear cut and where the pipeline was being laid.
16. I was arrested after I refused to leave the area where I had been standing, because I believed I had permission and a right to be on the property.
17. I also believed I was not on what could be considered critical infrastructure, even if the pipeline company had a legal right of way.
18. The pipeline company had clear-cut a wide swath of land through the property and was laying the pipeline in the ground in the middle of the clear-cut area.

19. I was standing under, or near, a tree that had not been cut down to make way for the pipeline, where the protesters were.
20. At first, I was arrested for simply remaining there after being forbidden.
21. Later, while we were being transported to the jail, the officer who arrested me spoke to another officer who had gone out to the scene and then added a charge of unauthorized entry of a critical infrastructure.
22. The second time I was arrested was on September 18, 2018, at a boat launch in St. Martin Parish.
23. Once again, I was intending to cover protesters' efforts as they gathered to pray at the boat launch.
24. I was approached by a sheriff's deputy, who then arrested me, put me in handcuffs and into a sheriff's unit.
25. I did not know why I was being arrested at the time because we were nowhere near the pipeline or any construction site.
26. I was anxious and confused about being arrested at this time and in this way.
27. I later found out that the arrest was related to an event that occurred two weeks earlier out on the property in the Atchafalaya Basin on September 3, 2018.
28. On that day, there was a tense encounter between construction crews and protesters, and I was again trying to cover and report on the events.
29. This was the same property where protesters had been given permission by some of the landowners to be present.
30. St. Martin Parish Sheriff's officers arrived that day.

31. The protesters were trying to call attention to the fact that the pipeline company did not have a right or any legal authority to be there and was in fact trespassing.
32. Because I follow these events closely, I have since learned that later in 2018, a court ruled that in fact Bayou Bridge Pipeline, LLC, had been trespassing on the property at the time of these events, and my arrests.
33. On September 3, 2018, however, I was trying to document these events. I was taking photos and attempting to get information and statements from law enforcement officers, as well as protesters.
34. While attempting to get photos of the interactions between protesters and law enforcement, I also attempted to comply with instructions to move off the area in question.
35. Two weeks later, however, I was arrested and charged with violating the critical infrastructure law on this day.
36. The felony arrests have seriously affected my work and my life.
37. They have impacted how I think about covering similar events and protests and the work I have chosen to do since then.
38. Having two felony charges hanging over me has made me anxious and concerned to report on stories that are controversial but have public interest. I was fearful of getting into a situation where I might be arrested again because of my commitment to reporting fairly truthfully on controversial issues.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 18, 2022



KAREN SAVAGE

