

# **Exhibit 6**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

[1] BLACK EMERGENCY RESPONSE TEAM, et al.,	)	
	)	
<i>Plaintiffs,</i>	)	
v.	)	Case No. 5:21-cv-01022-G
	)	
	)	Hon. Charles B. Goodwin
[1] JOHN O'CONNOR, in his official capacity as Oklahoma Attorney General, et al.,	)	
	)	
<i>Defendants.</i>	)	
	)	
	)	
	)	

**Declaration of Mary Topaum, on behalf of the the American Indian Movement  
Indian Territory chapter (“AIM Indian Territory”)**

I, Mary Topaum, pursuant to 28 U.S.C. § 1746, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
  
2. I am the Director of the American Indian Movement Indian Territory chapter (“AIM Indian Territory”), in the above captioned matter. I am authorized to provide this declaration on behalf of AIM Indian Territory. I have held the position of Director since first being elected to the position in 2016.
  
3. The American Indian Movement (“AIM”) is one of the most prominent grassroots Native American rights organizations the United States. Founded in 1968, the AIM’s initial mission was to address the plight of Urban Indians dealing with police brutality, poverty, and systemic racism. By the early 1970s, AIM’s mission eventually expanded to address other concerns impacting Native American communities, like educational

justice, treaty rights, spiritual wellness, cultural preservation, and self-determination.

4. The AIM and its grassroots chapters have a long history of challenging systemic racism and racial disparities for Native American students in education. For example, in 1972 the AIM opened “survival schools,” in the Minneapolis area, to center Indigenous culture within the curricula in an effort to fight ongoing discrimination by non-Natives in school, combat the Native American school dropout rate, and resist the forced removal of “truant” children from homes by social service agencies. The first survival school—Heart of Earth Survival School—was opened in Minneapolis, and shortly after, the second—Red School House—was opened in St. Paul.
5. While the AIM was founded in Minnesota, the organization quickly grew followers throughout the country—including in the state of Oklahoma—who started grassroots AIM chapters of their own in order to address the issues impacting Native Americans in their local communities. At various times since the organization’s founding, Oklahoma has had up to a dozen active grassroots AIM chapters operating across the state.
6. For AIM chapters in Oklahoma, the education of Native American children has always been a key concern, particularly due to the state’s history with the Trail of Tears, Indian mission and boarding schools, and misappropriation of funds allocated for Native American children.
7. While the national AIM organization disbanded in 1978, the movement for Native American rights continued. Many state and local chapters of AIM continued to operate in order to promote Native American rights and address injustices within their own communities. Since then, grassroots AIM chapters have continued to have an active presence in the fight for Native American rights in the state of Oklahoma.
8. The AIM Indian Territory is a grassroots chapter of the AIM—created in 2016—whose mission is to “protect and fight for [ ] Indigenous rights and to better [ ] Indigenous communities,” throughout the state of Oklahoma and Turtle Island. To support this mission, AIM Indian Territory has been actively addressing intersectional issues, like racial discrimination and cultural insensitivity in Pre-Kindergarten through grade 12 (“PK-12”) schools, Indigenous erasure in curricula, intergenerational trauma, police brutality against BIPOC communities, and sexual assault and violence against Native American women, girls, and two-spirit individuals.

9. The AIM Indian Territory currently has 37 members statewide, who come from a variety of tribal nations and/or identify as multi-racial. Many of the AIM Indian Territory members live in Tulsa, Oklahoma City, Lawton, and surrounding areas. Approximately 30 AIM Indian Territory members are parents with children currently enrolled in PK-12 in Oklahoma public schools. The AIM Indian Territory serves as a critical resource for Native American communities and supporters—including parents and children—throughout the state of Oklahoma. To advance this work, the AIM Indian Territory meets regularly with its members to address intersectional issues that impact Native Americans within Oklahoma, including cultural competency, intergenerational trauma, gender discrimination, and LGBTQ+ concerns.
10. With regard to the AIM Indian Territory's educational advocacy, one of our key goals is to ensure that Native American students, in particular, are the recipients of a culturally relevant and inclusive education that enriches students' critical thinking skills and promotes cross-cultural exchange and appreciation for all students in Oklahoma public schools. We are especially dedicated to combating racism and discrimination in schools because of its life-long impacts on Native students and non-Native students alike. With Native American students making up approximately 15% of Oklahoma's public-school students, we believe it is imperative that they receive a culturally relevant and inclusive education that challenges the mainstream narrative of Indigenous erasure. That narrative—the idea that Native Americans no longer exists—perpetuates psychological and intergenerational trauma amongst Native American students while it also reinforces racial hierarchies and feelings of superiority for non-Native students.
11. AIM members and their children in Oklahoma public schools seek exposure to the full range of historical, literary, and contemporary accounts that—though sometimes upsetting and unfortunate—provide a fuller, more accurate rendering of the past and present so that students can form their own inquiries, truth, and solutions.
12. The Oklahoma legislature's predominate concern—that certain students are experiencing feelings of guilt or shame because of the way past and current injustices are discussed in the classroom—disregards the negative emotions that BIPOC students have reported and experienced for decades in Oklahoma's public schools.

13. Despite complaints from BIPOC students, the Oklahoma legislature has not banned other topics that make students feel discomfort, guilt, anguish, and psychological distress at school or on campus.
14. For example, students of color in Oklahoma have reported severe distress from attending school buildings named after confederate leaders and having to read books such as *Huckleberry Finn* that feature the n-word, and yet Oklahoma’s legislators and school officials have refused to prohibit such campus speech.
15. Likewise, neither the Oklahoma legislature nor the State Department of Education have taken steps to prohibit school districts from requiring that all students—Native American and non-Native—participate in live “reenactments” of the 1889 Land Run. Though Native students have reported experiences of depression, trauma, and embarrassment when forced to participate in school-facilitated Land Run reenactments—that glorify the genocides and displacement of Native people—school districts in Oklahoma have only begun to prohibit these reenactments on a district-by-district level. While the Norman Public School district stopped participating in the reenactments in 2011, it took the Oklahoma City Public Schools until 2014 to do the same, meanwhile, it took the Edmond Public School district until 2017 to even begin having conversations about ceasing the reenactments. We have received reports from members that the Lawton Public School District and elementary schools in Oklahoma county still engage in such reenactments in spite of complaints.
16. Likewise, the Oklahoma legislature has not prohibited Oklahoma public schools from displaying derogatory “R\*dskins” themed Native American caricatures as mascots, despite the repeated complaints by AIM members, supporters, and Native American students, who have voiced feelings of discomfort, contempt, and intergenerational trauma.
17. The AIM Indian Territory believes that all students in Oklahoma must have access to a culturally responsive and inclusive education that prepares them to interact with people from all races, ethnicities, genders, and backgrounds. This includes being educated and informed about the various Native American communities located within the state, especially given the recent *McGirt* decision, which declared close to half of the state of Oklahoma as Indian Territory. Our ultimate goal is that each student in Oklahoma public schools receives a quality education that teaches them about the state’s rich history with Native Americans, including the past atrocities committed against us, positive contributions made by us, and current challenges we face as a result of systemic oppression.

18. The AIM Indian Territory has been at the forefront of many discussions related to racial justice in education, including conversations between members of Oklahoma's various Native American communities and public school districts around the state. For example, the AIM Indian Territory was recently contacted by a young Native American boy and his family in Clinton, Oklahoma, who reported being the target of culturally-related bullying and forcibly having his long-braided hair cut by a non-Native fellow student. The AIM Indian Territory subsequently organized a rally and march in solidarity with the young student, to raise awareness and cultural competency around why Native men and women wear long-braids today, and to educate folks on the legacy of scalping in Native American communities.
19. The AIM Indian Territory has also advocated for curricula change and diversity training for staff in Oklahoma public schools, as many Native American students continue to experience cultural insensitivity in the classroom, as well as attend schools with Indian Mascots and prohibitions from wearing traditional regalia at graduation or Eagle feathers in one's high school graduation cap, to celebrate student's achievements through an incorporation of Indigenous culture. Recently, we received a report from one student and their family in Shawnee, Oklahoma, that an art class syllabus explicitly banned the drawing of Indigenous people within the classroom for being a "cliché" depiction.
20. The AIM Indian Territory has also addressed the unique issues that female Native American students experience in Oklahoma public schools. Recently, the AIM Indian Territory was contacted by two Native American girls in Morris, Oklahoma, who reported—at different times—having male teacher accost them and grab their hair without consent while saying "I've always wanted to pull a braid." Acts like these, particularly those committed by people employed to educate our children, are deeply concerning to the AIM Indian Territory, as it perpetuates the hyper-sexualization of Native American women and girls and contributes to sexual harassment in schools.
21. To address instances, like those aforementioned, from occurring in Oklahoma public schools, the AIM Indian Territory believes it is essential that students can access a more diverse and inclusive curricula that incorporates a more complete depiction of Indigenous communities, histories, and cultures. Equally important, it is essential that schools provide diversity, equity, and inclusion trainings for teachers, administrators, faculty and staff that help them to unpack their own implicit

biases and preconceived notions about the communities in which they serve. Such steps are necessary for establishing a more inclusive educational environment.

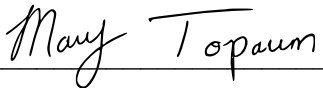
22. The AIM Indian Territory believes that there are several benefits to providing Oklahoman students with a culturally relevant and inclusive education. For example, providing Native American students, in particular, with culturally responsive education helps to combat the detrimental impact intergenerational and psychological trauma has on Indigenous youth and their families when Native American communities have constantly been described as “primitive,” or “extinct.” It also provides BIPOC, mixed-race, and multicultural students with a social and historical understanding that allows them to put their own life’s experiences in context while making them feel seen in the classroom, facilitating a sense of belonging. Moreover, providing white students with the same culturally relevant material helps them to breakdown existing misconceptions that they may have about Native American people and other historically marginalized communities.
23. Ultimately, the AIM Indian Territory believes that it is important that students of all backgrounds have access to this sort of information because it teaches the tolerance, compassion, and cross-cultural understanding that is necessary to successfully navigate and thrive in a country that is growing more racially and ethnically diverse.
24. The AIM Indian Territory is particularly concerned with the chilling effect that HB 1775 is having, and will have, on progressive steps taken to ensure that all students in Oklahoma receive a quality and inclusive education.
25. The AIM Indian Territory believes that the Oklahoma legislature is hampering students’ ability to think critically, become life-long learners and global citizens through HB 1775, by denying them access to culturally responsive curricula and to the language and information necessary to understand and challenge structural inequality impacting their own communities.
26. The AIM Indian Territory members and their children want access to the kind of information currently being suppressed under HB 1775, like conversations regarding white-privilege, allyship, and intersectionality, even if such conversations can be challenging because they also enrich the learning environment. For example, while Indigenous leaders’ perspectives on the violent relocation of Native Americans may be uncomfortable for some students, members believe such perspectives are

critical because it helps to promote cross-cultural understanding, tolerance, compassion, and empathy amongst current and future generations. It also helps AIM Indian Territory's student members better understand their own ancestors' history and their lived reality.

27. The AIM Indian Territory also wants teachers to have access to diversity, equity, and inclusion trainings that address issues of racial and gender-based discrimination, so that they can teach all students in a culturally-competent manner. However, we are concerned that HB 1775 seeks to chill these conversations and stifle educators' ability to connect with each student in a culturally responsive manner.
28. We believe that prohibiting classroom discussions on topics, like systemic racism and gender-based oppression, significantly undermine any efforts made by educators and local school districts, following the 2020 National Reckoning for Racial Justice, to make the classroom environment more inclusive for historically underrepresented and marginalized communities.
29. The AIM Indian Territory is concerned that a lack of culturally responsive and inclusive teaching is perpetuating, and will perpetuate, ideas of pre-existing racial hierarchies, enable bullying against BIPOC students, lead to increased psychological trauma, and contribute to depression—which is already extremely high for Indigenous youth.
30. The AIM Indian Territory is especially concerned by the Oklahoma legislature's purpose behind HB 1775 because it appears to be yet another attempt by the legislature to silence the dissenting voices of those that challenge mainstream narratives of U.S. history and culture and those whose contributions and experiences have been historically excluded.
31. Principally, the AIM Indian Territory wants all students—including Indigenous youth and other students from historically marginalized backgrounds—to feel represented in their course curricula. To further this objective, we believe that all students must be allowed to have access to both a diversity of experience and diversity of ideas in order to become well-rounded individuals, productive workforce participants, and civic leaders in their communities.



I certify under penalty of perjury that the foregoing is true and correct based upon my personal knowledge. Executed in Oklahoma this 13<sup>th</sup> day of October 2021.

  
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Mary Topaum