



**CASE/INCIDENT REPORT**  
**NORTH DAKOTA HIGHWAY PATROL**

Case No.  
**2017000939**

Employee: <b>260 - Frank, Timothy J</b>	
Date/Time: <b>2/22/2017 16:01:00</b>	District: <b>Southwest Region</b>
Status: <b>Active</b>	

Additional Officers:

**Reviewed By:**

Highway: <b>1806</b>	Ref Point: <b>34.80</b>	County: <b>Morton</b>	Other Location: <b>Protest Camps</b>
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**Events**

**260 - Frank, Timothy J - 02/22/2017 - Protest Camps**

**Lead Event**

Activity <b>Assisting Other Governmental</b>	<b>Willis Judson Sojourn - Male - 42</b> <b>Teyana Lauri Viscarra - Female - 54</b>
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**Involvement Type**

Name: <b>Willis Judson Sojourn</b>		Address: <b>207 N Spooner St</b>			Height: <b>5' 9"</b>	Weight: <b>170</b>	Race: <b>White</b>
SSN/OLN: <b>S2658907432503</b>	OLN State: <b>WI</b>				Hair Color: <b>Brown</b>		Eye Color: <b>Brown</b>
Date of Birth: <b>09/05/1974</b>	Sex: <b>Male</b>	City: <b>Madison</b>	State: <b>WI</b>	Zip Code: <b>53726</b>	Home Telephone:		Work Telephone:
Involvement: <b>Pedestrian, Suspect</b>		Other Information:					Cell Telephone:
							Fax No:

Name: <b>Teyana Lauri Viscarra</b>		Address:			Height: <b>Unk</b>	Weight:	Race: <b>Unknown</b>
SSN/OLN:	OLN State:				Hair Color:		Eye Color:
Date of Birth: <b>06/11/1962</b>	Sex: <b>Female</b>	City:	State:	Zip Code:	Home Telephone:		Work Telephone:
Involvement: <b>Pedestrian, Suspect</b>		Other Information:					Cell Telephone:
							Fax No:

**Vehicle License Plate Number - Year - Color - Make - Model**

Unknown - Unknown - Unknown - Unknown - Unknown

**Case Narrative**

**260 - Frank, Timothy J, Created: 02/27/2017, Last Modified: 02/27/2017**

On 02/22/2017 I, Trooper Frank, was deployed at the Dakota Access Pipeline protests. I was a part of a mobile field force that consisted of multiple law enforcement agencies from different jurisdictions. I was assigned to an arrest team on the mobile field force. At approximately 1400, my field force had been deployed to Highway 1806, just west of the main protest camps on Army Corps of Engineers property.

The protesters located in the main camps had been given a mandatory evacuation order by Governor Burgum, as well as the Army Corps of Engineers. The camps had been notified of the eviction and it was highly publicized that all protester on Army Corps land where to leave by 1400, on 02/22/2017.

At approximately 1630, my mobile field force encountered approximately 60 resistant protesters on Highway 1806. An order was issued that they vacate the area otherwise they would be subject to arrest. Prior to that order, the

protesters had also sent a liaison to negotiate with law enforcement. Their liaison had also been informed that anyone left in the camps or on the roadway, would be subject to arrest. My mobile field force moved on the resistant protesters and began to take them into custody.

I placed a male individual under arrest, on Highway 1806. The male was complaint and was handcuffed behind his back with zip handcuffs. I conducted a pat search on the male. I was assisted by Mandan Police Officer 222. I transported the male to the temporary booking area where he was turned over to Parole and Probation for further processing. My name was tied to the arrest, and my picture was taken with male. I later identified the male as Willis Judson Sojourn (DOB: 09/05/1974, WI OLN: S2658907432503).

I placed a female individual under arrest, on Highway 1806. I had held the female's right arm to escort her, and she fell to her knee. The female stated that she may have a broken foot. The foot was injured prior to my contact with her. I escorted the female back to Parole and Probation's booking area. The female was compliant and was handcuffed behind her back with zip handcuffs. I was assisted by Mandan Police Officer 222. Officer 222 conducted a search on the female. The female was then turned over to Parole and Probation for further processing. My name was tied to the arrest, and my picture was taken with female. I later identified the female as Teyana Lauri Viscarra (DOB: 06/11/1962, Possible CA OLN: N9970767). Morton County had provided Viscarra's name to me after the arrest. Morton County had stated that Teyana was her last name and Viscarra was her first. I was unable to locate any identification for the name listed in that manner. I was able to find California identification for Viscarra when I searched Teyana as her first name and Viscarra as her last name. I have listed Viscarra in my report as first name Teyana, last name Viscarra.

The mobile field force remained on scene until approximately 1830. At that time, I made no additional arrests as the resistant protesters where keeping their distance from us. We later departed from the area.

I would respectfully ask that the Morton County State's Attorney's Office please review the case. I have issued a long form complaint against Viscarra and Sojourn for Physical Obstruction of Government Functions (NDCC 12.1-08-01). The long form complaints have been added to this case file.

STATE OF NORTH DAKOTA )  
 ) SS.  
COUNTY OF  MORTON  )

**AFFIDAVIT**

I,  Timothy Frank , an employee of  North Dakota Highway Patrol ,  
attest to the following:

1. That I am a trained and licensed peace officer with  4  years of experience with jurisdiction to enforce state law in  Morton  County, North Dakota.

2. That on the  22  day of  February , 2017, at approximately  1630  hours, in  Morton  County, North Dakota, at (specific location)  Highway 1806 Mile Marker 34.8 / Dakota Access Pipeline Protest Camps

3. The suspect was identified as (Full Name)  Willis Judson Sojourn  whose date of birth is (Month)  September  (Day)  5 , (Year)  1974 , and is  42  years of age.

4. The following gives rise to probable cause to charge the suspect with:

- PHYSICAL OBSTRUCTION OF A GOVERNMENT FUNCTION, NDCC 12.1-08-01, Class A Misd.**
- CONSPIRACY TO COMMIT PHYSICAL OBSTRUCTION OF A GOVERNMENT FUNCTION, NDCC 12.1-06-04, 12.1-08-01, Class A Misd.**
- PREVENTING/RESISTING ARREST (FELONY OFFENSE), NDCC 12.1-08-02, Class C Felony**
- PREVENTING/RESISTING ARREST (MISD. OFFENSE), NDCC 12.1-08-02, Class A Misd.**
- RECKLESS ENDANGERMENT, NDCC 12.1-17-03, Class C Felony**
- CONSPIRACY TO COMMIT RECKLESS ENDANGERMENT, NDCC 12.1-06-04, 12.1-17-03, Class C Felony**
- CRIMINAL TRESPASS (POSTED LAND, PRIOR NOTICE, REFUSAL TO LEAVE), NDCC 12.1-22-03, Class B Misd.**
- CRIMINAL TRESPASS (CLOSED AS TO MANIFESTLY EXCLUDE INTRUDERS), NDCC 12.1-22-03, Class A Misd.**
- 2<sup>ND</sup> OFFENSE OF CRIMINAL TRESPASS (POSTED LAND, PRIOR NOTICE, REFUSAL TO LEAVE), NDCC 12.1-22-03, Class A Misd.**
- DISORDERLY CONDUCT, NDCC 12.1-31.01, B Misd.**
- CRIMINAL MISCHIEF (>\$2000/DESTRUCTIVE DEVICE), NDCC 12.1-21-05, Class C Felony**
- SIMPLE ASSAULT ON A PEACE OFFICER, NDCC 12.1-17-01, Class C Felony**
- AGGRAVATED ASSAULT, NDCC 12.1-17-02, Class C Felony**
- TERRORIZING, NDCC 12.1-17-04, Class C Felony**
- CONTACT BY BODILY FLUIDS, NDCC 12.1-17-11, Class C Felony**
- FELON IN POSSESSION OF A FIREARM, NDCC 62.1-02-01, Class C Felony**
- POSSESSION OF AN EXPLOSIVE, NDCC 62.1-02-11, Class C Felony**
- CARRYING A CONCEALED FIREARM OR WEAPON, NDCC 62.1-04-02, Class A Misd.**
- INCITING A RIOT, NDCC 12.1-25-01, Class C Felony**
- ENGAGING IN A RIOT, NDCC 12.1-25-03, Class A Misdemeanor**
- ENDANGERING BY FIRE/EXPLOSION, NDCC 12.1-21-02, Class B Felony**

- OTHER: \_\_\_\_\_
- OTHER: \_\_\_\_\_
- OTHER: \_\_\_\_\_
- OTHER: \_\_\_\_\_

5. Circumstances and/or other facts:

1. On 02/22/2017 I, Trooper Frank, was deployed at the Dakota Access Pipeline protests. I was a part of a mobile field force that consisted of multiple law enforcement agencies from different jurisdictions. I was assigned to an arrest team on the mobile field force. At approximately 1400, my field force had been deployed to Highway 1806, just west of the main protest camps on Army Corps of Engineers property.

2. The protesters located in the main camps had been given a mandatory evacuation order by Governor Burgum, as well as the Army Corps of Engineers. The camps had been notified of the eviction and it was highly publicized that all protester on Army Corps land where to leave by 1400, on 02/22/2017.


3. At approximately 1630, my mobile field force encountered approximately 60 resistant protesters on Highway 1806. An order was issued that they vacate the area otherwise they would be subject to arrest. Prior to that order, the protesters had also sent a liaison to negotiate with law enforcement. Their liaison had also been informed that anyone left in the camps or on the roadway, would be subject to arrest. My mobile field force moved on the resistant protesters and began to take them into custody.

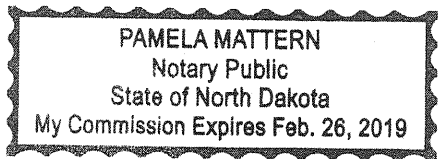
4. I placed a male individual under arrest, on Highway 1806. The male was complaint and was handcuffed behind his back with zip handcuffs. I conducted a pat search on the male. I was assisted by Mandan Police Officer 222. I transported the male to the temporary booking area where he was turned over to Parole and Probation for further processing. My name was tied to the arrest, and my picture was taken with male. I later identified the male as Willis Judson Sojourn (DOB: 09/05/1974, WI OLN: S2658907432503).

Dated this 27 day of February, 2017.

  
 Complainant Officer/Affiant

Subscribed and sworn before me on the 27<sup>th</sup> day of February, 2017.

  
 Notary  
 Burleigh County



STATE OF NORTH DAKOTA )  
 ) SS.  
COUNTY OF MORTON )

**AFFIDAVIT**

I, Timothy Frank, an employee of North Dakota Highway Patrol, attest to the following:

1. That I am a trained and licensed peace officer with 4 years of experience with jurisdiction to enforce state law in Morton County, North Dakota.

2. That on the 22 day of February, 2017, at approximately 1645 hours, in Morton County, North Dakota, at (specific location)

Highway 1806 Mile Marker 34.8 / Dakota Access Pipeline Protest Camps

3. The suspect was identified as (Full Name) Viscarra Lauri Teyona whose date of birth is (Month) June (Day) 11, (Year) 1962, and is 54 years of age.

4. The following gives rise to probable cause to charge the suspect with:

- PHYSICAL OBSTRUCTION OF A GOVERNMENT FUNCTION, NDCC 12.1-08-01, Class A Misd.**
- CONSPIRACY TO COMMIT PHYSICAL OBSTRUCTION OF A GOVERNMENT FUNCTION, NDCC 12.1-06-04, 12.1-08-01, Class A Misd.**
- PREVENTING/RESISTING ARREST (FELONY OFFENSE), NDCC 12.1-08-02, Class C Felony**
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- 2<sup>ND</sup> OFFENSE OF CRIMINAL TRESPASS (POSTED LAND, PRIOR NOTICE, REFUSAL TO LEAVE), NDCC 12.1-22-03, Class A Misd.**
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- INCITING A RIOT, NDCC 12.1-25-01, Class C Felony**
- ENGAGING IN A RIOT, NDCC 12.1-25-03, Class A Misdemeanor**
- ENDANGERING BY FIRE/EXPLOSION, NDCC 12.1-21-02, Class B Felony**

OTHER: \_\_\_\_\_

OTHER: \_\_\_\_\_

OTHER: \_\_\_\_\_

OTHER: \_\_\_\_\_

5. Circumstances and/or other facts:

- 1. On 02/22/2017 I, Trooper Frank, was deployed at the Dakota Access Pipeline protests. I was a part of a mobile field force that consisted of multiple law enforcement agencies from different jurisdictions. I was assigned to an arrest team on the mobile field force. At approximately 1400, my field force had been deployed to Highway 1806, just west of the main protest camps on Army Corps of Engineers property.
- 2. The protesters located in the main camps had been given a mandatory evacuation order by Governor Burgum, as well as the Army Corps of Engineers. The camps had been notified of the eviction and it was highly publicized that all protester on Army Corps land where to leave by 1400, on 02/22/2017.
- 3. At approximately 1630, my mobile field force encountered approximately 60 resistant protesters on Highway 1806. An order was issued that they vacate the area otherwise they would be subject to arrest. Prior to that order, the protesters had also sent a liaison to negotiate with law enforcement. Their liaison had also been informed that anyone left in the camps or on the roadway, would be subject to arrest. My mobile field force moved on the resistant protesters and began to take them into custody.
- 4. I placed a female individual under arrest, on Highway 1806. I had held the female's right arm to escort her, and she fell to her knee. The female stated that she may have a broken foot. The foot was injured prior to my contact with her. I escorted the female back to Parole and Probation's booking area. The female was compliant and was handcuffed behind her back with zip handcuffs. I was assisted by Mandan Police Officer 222. Officer 222 conducted a search on the female. The female was then turned over to Parole and Probation for further processing. My name was tied to the arrest, and my picture was taken with female. I later identified the female as Teyana Lauri Viscarra (DOB: 06/11/1962, Possible CA OLN: N9970767). Morton County had provided Viscarra's name to me after the arrest.

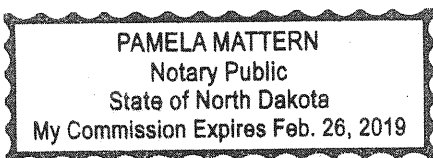
Dated this 27 day of February, 2017.



Complainant Officer/Affiant

Subscribed and sworn before me on the 27<sup>th</sup> day of February, 2017.

  
Notary  
Burleigh County



State of North Dakota

NORTH DAKOTA HIGHWAY PATROL

County No. 30  
City No.

County of Morton ) SS In State District Court  
City of ) Before Honorable State District Judge

Non-Active

No 0006937234

The undersigned, sworn, and says:

Date of Violation	Time (24 Hr.)	Day of Wk.	Issuance Date	Time (24 Hr.)	1	2	3						
02/22/2017	16:01	Wednesday	02/22/2017	19:00	3	87							
DEFENDANT VEH	State	Class	OLN, if none, SSN	DOB (M/D/Y)	Age	Race	Sex	Ht.	Wt.	Hair	Eyes	Build	Other
				06/11/1962	54	0	F						/ /
	Last Name			First Name		Middle		Operator		Passenger		Pedestrian	
	Viscarra			Teyana		Lauri		<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>	
Street Address				City	State	Zip	Phone				B H		
N/A	Lic. Plate No.	St.	Yr. Reg.	Color(s) Veh.	Yr.	Make	Model	Hazard Materials	DOT No.	Commercial Vehicle			
X													

OFFENSE	Did unlawfully operate a motor vehicle upon a public highway and did then and there commit the following offense:						BOND / STATUTORY LFC		US Funds	
	Charge / Offense / NDCC						Speed	Zone	FEE	
	12.1-08-01 Misdemeanor Class A								Only	
	Physical Obstruction of Government Function						Car/AC/Radar/Laser		<input type="checkbox"/>	Sta. Mov. 4
						Alcohol / Drug Test		Result %		
						CFR Code(s)				
Hwy / Street			Description of Area							
1806 - 34.8			Protest Camps							

All in violation of ND Century Code and against the peace and dignity of the state of North Dakota

CLASSIFIED	<input type="checkbox"/> Highway Type	<input type="checkbox"/> Slippery Surface	<input type="checkbox"/> Other Traffic	Dir of Travel N E S W	REQUEST FOR HEARING I hereby submit the designated bond and request a hearing on the alleged traffic violations and promise to appear at the time and date specified in the summons issued by the court for the county in which the citation was issued.  Dated this _____ day of _____ 20____  X _____
	<input type="checkbox"/> Area	<input type="checkbox"/> Visibility	<input type="checkbox"/> Type Crash	Other	
	Offense contributed materially to crash?			Crash No.	
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Officer(s) No(s) 260	
Issuing Officer(s) T. Frank					
The state of North Dakota to the above named defendant:					
Court Date: You are summoned to appear at the time and place designated below to answer to the charge made against you. If you fail to appear or post bond, a warrant will be issued for your arrest.					
Day of Week	Date (M/D/Y)	Time (24 Hr.)	5		
	Within 14 Days				
Address 210 2nd Ave NW			City Mandan	PROMISE TO APPEAR <input checked="" type="checkbox"/>	
LET A WARRANT before me: Sworn to and subscribed			Complainant / Officer	Prosecutor	6
ISSUE HEREIN			Judge	Served by	Date 7

SFN 5775(Rev. 7-03)

CITIZENS COPY

For Notification Form, refer to pre-printed envelope for further information.

State of North Dakota

NORTH DAKOTA HIGHWAY PATROL

County No. 30  
City No.

County of Morton ) SS In State District Court

Non-Active

City of ) Before Honorable State District Judge

No 0006937235

The undersigned, sworn, and says:

Date of Violation	Time (24 Hr.)	Day of Wk.	Issuance Date	Time (24 Hr.)	1	2	3						
02/22/2017	16:01	Wednesday	02/22/2017	19:00	3		87						
State	Class	OLN, if none, SSN	DOB (M/D/Y)	Age	Race	Sex	Ht.	Wt.	Hair	Eyes	Build	Other	
WI	D	S2658907432503	09/05/1974	42	1	M	5' 9"	170	5	5		/ /	
Last Name			First Name		Middle		Operator		Passenger		Pedestrian		
Sojourn			Willis		Judson		<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>		
Street Address			City		State		Zip		Phone		B		
207 N Spooner St			Madison		WI		53726				H		
N/A	Lic. Plate No.	St.	Yr. Reg.	Color(s) Veh.	Yr.	Make	Model		Hazard Materials		DOT No. Commercial Vehicle		
X													

Did unlawfully operate a motor vehicle upon a public highway and did then and there commit the following offense:											
Charge / Offense / NDCC						Speed	Zone	BOND / STATUTORY FEE		US Funds Only	
12.1-08-01 Misdemeanor Class A								LFC			
Physical Obstruction of Government Function								Car/AC/Radar/Laser		Sta. Mov.	4
								Alcohol / Drug Test		Result %	
								CFR Code(s)			
Hwy./Street						Description of Area					
1806 - 34.8						Protest Camps					

All in violation of ND Century Code and against the peace and dignity of the state of North Dakota

C L A O I N D E D	<input type="checkbox"/> Highway Type <input type="checkbox"/> Slippery Surface <input type="checkbox"/> Other Traffic			Dir of Travel N E S W	REQUEST FOR HEARING I hereby submit the designated bond and request a hearing on the alleged traffic violations and promise to appear at the time and date specified in the summons issued by the court for the county in which the citation was issued.  Dated this _____ day of _____ 20____  X _____
	<input type="checkbox"/> Area <input type="checkbox"/> Visibility <input type="checkbox"/> Type Crash			Other	
	Offense contributed materially to crash? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Crash No.	
	Issuing Officer(s) T. Frank			Officer(s) No(s) 260	
The state of North Dakota to the above named defendant:					
Court Date: You are summoned to appear at the time and place designated below to answer to the charge made against you. If you fail to appear or post bond, a warrant will be issued for your arrest.					
Day of Week		Date (M/D/Y)		Time (24 Hr.)	
		Within 14 Days		5	
Address			City		
210 2nd Ave NW			Mandan		
LET A Sworn to and subscribed WARRANT before me: ISSUE HEREIN		Date Issued		Complainant / Officer	
				Prosecutor	
		Judge		Served by	
				Date	
				6	
				7	

SFN 5775(Rev. 7-03)

CITIZENS COPY

For Notification Form, refer to pre-printed envelope for further information.



NAM/SOJOURN,WILLIS JUDSON      DOB/1974-09-05

207 N SPOONER ST              SEX/MALE      HGT/509 WGT/170  
MADISON, WI 53726-4034      HAI/BRO      EYE/BRO RAC/W

OLN/S2658907432503 OLS/WI              DONOR/

STATUS: RGLR - VAL, D - VAL, M - VAL

ISSUED: 2015-10-06 CLASS: RGLR      EXPIRES: 2017-09-05

MATCHED ON:\*L/N\*F/N\* MI\* BD

NAME/VISCARRA TEYANA LAURI

ADDR/602 N FAIR OAKS AVE. PASADENA, CA.

AKA NAME/FINK LAURI ANN

AKA NAME/TERRAZAS LAURI ANNE

AKA NAME/TERRAZAS TEYANA ANN

AKA NAME/VISCARRA TEYANA ANN

SEX/F. DOB/061162. HGT/502. WGT/100. HAI/BRO. EYE/BRO.

OLN/N9970767. EXP 06/11/21

RSTR:NONE

STATUS:VALID

END