

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.**
- 2ND 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.

[Signature] 200
Complaining Officer/Affiant

Subscribed and sworn before me on the 27th day of February, 2017.

[Signature]
Notary
Burleigh County

