

# Case Report

Mandan PD



Case Report Number 2617000834-001  
Case Number: 2617000834  
CFS Number:

Subject	87N - Assist Other Agency	Coordinate X
Entered On	2/23/2017 3:21:47 PM	Coordinate Y
Entered By	12222 - SCHMEICHEL, TRICIA M	Call Source
Reported On	2/22/2017	Related Cases
Reporting Officer	12222 - SCHMEICHEL, TRICIA M	Means
Report Type	A - Arrest Report	
Disposition	2 - Arrest	Motives
Assisted By		
Occurred On (Date and Time)	Wednesday 2/22/2017 4:00:00 PM	Vehicle Activity
Or Between (Date and Time)		Direction Vehicle Traveling
Location Name		Cross Street
Address		Notified
CSZ		Exceptional Clearances Basis
Jurisdiction		Exceptional Clearance Date
District	Out of Jurisdiction - All areas outside Mandan City Limits	
Sector		

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## Summary

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## Offense

Offense	<b>90ZBB - Obstruct Government Function</b>	Premises Entered Entry
Code Section		Suspected of Using None/Unknown
IBR Code	90Z	Weapons
Statute		Criminal Activity
Location Type	13 - Highway/Road/Alley	Type Security
Completed	Y - Yes	Tools
Hate/Bias	88 - None (No Bias)	

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## Offenders

Arrestee Name	<b>Cervantes, Tonita Carol</b>	Alias
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Photo 1



Photo 2



Address	CSZ	Address Type	County	Country
Po Box 777	Albion, CA			

Phone Number	Phone Type

Email Address

Sex	F - Female	Hair Style	Resident	N - Nonresident
Race	U - Unknown	Hair Length	POB	unknown
Ethnicity	U - Unknown	Facial Hair	DLN	s0639923
DOB	9/29/1951	Complexion	DL State	CA - California
Age	65	Teeth	DL Country	
Juvenile	N - No	Build	SSN	000-00-0000
Eye Color	BRO - Brown	Height		
Hair Color	BRO - Brown	Weight		

Scars, Marks and Tattoos	Location	Description

Attire	MO
Employer/School	
Employer Address	Habitual Offender
Employer CSZ	Status
Occupation/Grade	

Arrested For	90ZBB - Obstruct Government Function	Date/Time Released
Arrest Number	MDN-17-A0323	Released Location
Arrest Type	O - On-view/On Scene	Released By
Armed With	01 - Unarmed	Release Reason
Multi-Clearance	N - Not Applicable	Held For
FBI Number		Fingerprints
State Number		Photos
Arrest Date	2/22/2017	Miranda Read
Arrest Location		Miranda Waived
Force Level		Number of Warrants
Date/Time Booked		Juvenile Dispo.
Booked Location		Adult Present (Name)
Printed 9/1/2017 1:49 PM		

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Detention Name \_\_\_\_\_ Notes \_\_\_\_\_  
 Notified Name \_\_\_\_\_

Name **Flores, Jason Stuart**

Alias \_\_\_\_\_

Photo 1



Photo 2



Address	CSZ	Address Type	County	Country
11742 Samule Dr	Garden Grove, CA	H - Home		

Phone Number	Phone Type
7203844314	H - Home

Email Address \_\_\_\_\_

Sex	M - Male	Hair Color	BRO - Brown	Weight	130
Race	I - American Indian or Alaska Native	Hair Style		Resident	N - Nonresident
Ethnicity	U - Unknown	Hair Length		POB	unknown
DOB	1/19/1985	Facial Hair	UNK - Unknown	DLN	607115022
Age	32	Complexion		DL State	FL - Florida
Juvenile	N - No	Teeth		DL Country	
Eye Color	BRO - Brown	Build	M - Medium	SSN	
		Height	5' 6"		

Scars, Marks and Tattoos	Location	Description

Attire \_\_\_\_\_ MO \_\_\_\_\_  
 Employer/School \_\_\_\_\_  
 Employer Address \_\_\_\_\_ Habitual Offender Status \_\_\_\_\_  
 Employer CSZ \_\_\_\_\_  
 Occupation/Grade \_\_\_\_\_

Arrested For	90ZBB - Obstruct Government Function	State Number	
Arrest Number	MDN-17-A0324	Arrest Date	2/22/2017
Arrest Type	O - On-view/On Scene	Arrest Location	
Armed With	01 - Unarmed	Force Level	
Multi-Clearance	N - Not Applicable	Date/Time Booked	
FBI Number		Booked Location	
		Date/Time Released	

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Released Location	Miranda Waived
Released By	Number of Warrants
Release Reason	Juvenile Dispo.
Held For	Adult Present (Name)
Fingerprints	Detention Name
Photos	Notified Name
Miranda Read	Notes

Name **Lee, Johnny**

Alias

Photo 1



Photo 2



Address	CSZ	Address Type	County	Country
Npa	NPA	O - Other		

Phone Number	Phone Type
(661) 252-6818	C - Cell

Email Address

Sex	M - Male	Hair Style	Resident	U - Unknown
Race	U - Unknown	Hair Length	POB	unknown
Ethnicity	U - Unknown	Facial Hair	DLN	
DOB	1/3/1986	Complexion	DL State	
Age	31	Teeth	DL Country	
Juvenile	N - No	Build	SSN	
Eye Color	BRO - Brown	Height		
Hair Color	BRO - Brown	Weight		

Scars, Marks and Tattoos	Location	Description
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Attire	MO
Employer/School	
Employer Address	Habitual Offender Status
Employer CSZ	
Occupation/Grade	

Arrested For	90ZBB - Obstruct Government Function	Arrest Number	MDN-17-A0325
		Arrest Type	O - On-view/On Scene

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Armed With	01 - Unarmed	Release Reason
Multi-Clearance	N - Not Applicable	Held For
FBI Number		Fingerprints
State Number		Photos
Arrest Date	2/22/2017	Miranda Read
Arrest Location		Miranda Waived
Force Level		Number of Warrants
Date/Time Booked		Juvenile Dispo.
Booked Location		Adult Present (Name)
Date/Time Released		Detention Name
Released Location		Notified Name
Released By		Notes

Name	<b>Bivens, Eric</b>	Alias	
Photo 1		Photo 2	

Address	CSZ	Address Type	County	Country
910 Osage Dr	Soddy Dais, TN	H - Home		

Phone Number	Phone Type	Email Address

Sex	M - Male	Hair Style	Resident	N - Nonresident
Race	W - White	Hair Length	POB	unknown
Ethnicity	U - Unknown	Facial Hair	DLN	
DOB	12/22/1986	Complexion	DL State	
Age	30	Teeth	DL Country	
Juvenile	N - No	Build	SSN	0000
Eye Color	BLU - Blue	Height		
Hair Color	BLN - Blond	Weight		

Scars, Marks and Tattoos	Location	Description

Attire	Occupation/Grade
Employer/School	MO
Employer Address	
Employer CSZ	Habitual Offender Status

Arrested For	90ZBB - Obstruct Government Function	Released Location
Arrest Number	MDN-17-A0330	Released By
Arrest Type	T - Warrant/Taken Into Custody	Release Reason
Armed With	01 - Unarmed	Held For
Multi-Clearance	N - Not Applicable	Fingerprints
FBI Number		Photos
State Number		Miranda Read
Arrest Date	2/22/2017	Miranda Waived
Arrest Location		Number of Warrants
Force Level		Juvenile Dispo.
Date/Time Booked		Adult Present (Name)
Booked Location		Detention Name
Date/Time Released		Notified Name
		Notes

**Victims**

**Witnesses**

**Other Entities**

**Properties**

**Narrative**

2/23/2017 3:25:44 PM	12222 - SCHMEICHEL, TRICIA M
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On 02/22/2017, I, Officer Schmeichel, was on duty as a special deputy in Morton County. I was assigned to be an arrest team member for one of the field force units.

It should be noted that at 1400 hours on 02/22/2017, the eviction for the Oceti Sakowin Camp was in effect. There were many individuals associated with the NoDAPL protests who had indicated they did not want to leave the camp area and would want to be arrested. Officers had also been advised that there was a group of people who wanted to be arrested around 1400 hours.

Officers waited on the north side of the south serpentine prior to 1400 hours. Around 1400 hours, we were assigned to respond to the area south of the serpentine. We were instructed to park our cars along the east side of Highway 1806 and be on stand-by.

Around 1600 hours, a group of people began approaching law enforcement. They were instructed to leave the area or be subject to arrest. Several of these individuals did not want to leave and were placed under arrest as the field force pushed them back.

During this time, as I was assigned to be an arrest member, I assisted in taking custody of three individuals. The first individual identified himself as Johnny Lee (01/03/1986). Johnny was handcuffed using flex-cuffs. His property was released to other officers who conducted the transport. Other officers also assisted with searching Johnny.

I also assisted in taking custody of Tonita Cervantes (09/29/1951). When I took custody of Tonita, she was not putting her hands behind her back. I gave her several instructions to "stop resisting" and "put your hands behind your back." Finally, Tonita began to cooperate. During this time, another officer assisted in applying a handcuff (flex-cuff) to her right hand. Once Tonita was cooperating and under control, I began to start a search. The transport officers arrived during this time and advised that they could take custody of Tonita and finish the search. They also advised that they could fix the flex-cuffs so they fit properly (the other officer had an issue with the flex-cuff). Tonita and her property were released to their custody.

The last individual I assisted with taking custody of was Jason Stuart Flores. Jason was taken into custody and flex-cuffs were applied. He was released to the transport officers who advised they could complete the search by the transport vans.

I assisted with various other officers as part of the arrest team.

I also completed affidavits for obstruction of a governmental function for all three individuals (Johnny Lee, Tonita Cervantes, and Jason Flores).

This ended my involvement.

222

2/24/2017 7:00:02 AM | 12228 - Breid, Michael M

On 02/22/2017, I, Officer Breid, was on duty as a special deputy in Morton County. I was informed that I would be part of an arrest team for the Fargo PD field unit.

At 1400 hours on 02/22/2017, an eviction for the Oceti Sakowin Camp was in effect issued by the Army Corps who are the property owners (federal government). There were many protesters who had informed they did not want to leave the camp area and would want to be arrested. Officers had also been advised that there was a group of people who wanted to be arrested around 1400 hours instead of leaving the camp on their own.

Officers waited on the north side of the south serpentine prior to 1400 hours. Around 1400 hours, we were assigned to respond to the area south of the serpentine. I parked my patrol car along with other officers on the east side of Highway 1806. We were informed to wait until we were needed.

Around 1600 hours, several people began approaching law enforcement. They were instructed to leave the area or be subject to arrest. Several of these individuals did not want to leave and started to line up across from Law Enforcement. Again the group was informed to leave or they would be arrested. After several times of being informed to leave the area law enforcement started to walk towards them.

While walking the crowd back, I took into custody a male identified as Eric Bivens (12/22/1986) for obstruction of a governmental function. I handcuffed Eric behind the back with zip-cuffs. I brought Eric over to a Parole & Probation where I conducted a search of his person. All of his items were placed into a bag and was given to P&P. I released Custody of Eric to P&P.

I helped other officers with the advancement and the retreat of Hwy 1806.

