

AFFIDAVIT

I, Steven Mayer, an employee of the North Dakota Highway Patrol, attest to the following:

1. That I am a trained and licensed peace officer with 13 years of experience with jurisdiction to enforce state law in Morton County, North Dakota.
2. That on the 23th day of February, 2017, at approximately 1300 hours, in Morton County County, North Dakota, at (Specific Location) Oceti Sakowin Camp, US Army Corp of Engineers Land.
3. The suspect was identified as (Full Name) Kyle Rapp whose date of birth is (Month) May (Day) 17th, (Year) 1979, and is 37 years of age.
4. The vehicle/person was stopped for:  
Protestor who was actively protesting in an area deemed unlawful to be in.
5. The following gives rise to probable cause to charge the suspect with:  
Resisting Arrest NDCC 12.1-08-02 A-Misdemeanor  
Interference with a governmental function. NDCC 12.1-08-01 A-Misdemeanor

Circumstances and/or other facts:

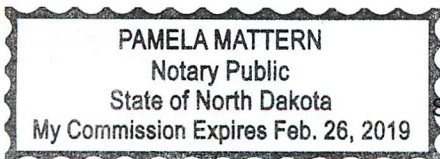
On the above date and approximate time, I Trooper Steven Mayer was assisting in taking Mr. Rapp into custody for protesting on the Army Corp of Engineers Land Also known as the Oceti Sakowin camp. At this time the protestors were told to leave the area or be arrested fro trespassing as dictated by the US Army Corp of Engineers as well as the Governor of North Dakota. Individuals were given ample opportunity for days to leave with out arrest. Mr. Rapp refused directives by officers to put his hands behind his back and was placed under arrest. Mr. Rapp had to be physically taken to the ground and refused to comply with putting his hands behind his back. Mr. Rapp was pepper sprayed as well as tased before he complied. Mr. Rapp had his hands in front of him the entire time and refused to cooperate while laying on them so as officers had to wrestle with him in the feces filled mud to restrain him. Mr. Rapp was placed under arrest for Interference with a government function and resisting arrest.

Dated this 27th day of February, 2017

Steven Mayer  
Complaining Officer

I swear that the above affidavit is true and correct as provided to me on this 27<sup>th</sup> day of February, 2017.

Steven Mayer  
Peace Officer/Affiant



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

Pamela Mattern  
Notary Public  
Burkeish Co.

} SS.

AFFIDAVIT

I, Steven Mayer, an employee of the North Dakota Highway Patrol, attest to the following:

1. That I am a trained and licensed peace officer with 13 years of experience with jurisdiction to enforce state law in Morton County, North Dakota.
2. That on the 22th day of February, 2017, at approximately 1600 hours, in Morton County County, North Dakota, at (Specific Location) Highway 1806 mile post 35.5
3. The suspect was identified as (Full Name) Michael Goldberg whose date of birth is (Month) January (Day) 25th, (Year) 1991, and is 26 years of age.
4. The vehicle/person was stopped for:  
Protestor who was actively protesting in an area deemed unlawful to be in.
5. The following gives rise to probable cause to charge the suspect with:

Interference with a governmental function. NDCC 12.1-08-01 A-Misdemeanor

Circumstances and/or other facts:

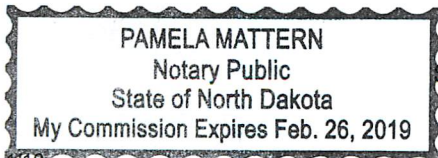
On the above date and approximate time, I Trooper Steven Mayer was assisting in removing people from Highway 1806 at about mile post 35.5. Per the Governors mandate all subjects were to have left the Oceti Sakowin camp as well as the roadway by 2pm on 02/22/2017. At about 1600 hours, protesters began coming out of the camp and proceeded down the roadway. They were instructed to disperse and leave the area multiple times. Numerous subjects remained on the roadway and several stated that they preferred to be arrested. During a push of the line, an individual who was identified as Michael Goldberg was taken into custody by me. He was handcuffed with zip ties and was cooperative through out the situation. Mr. Golberg was informed he was being placed under arrest for interference of a government function and transferred by Parole and Probation.

Dated this 27th day of February, 2017

Steven Mayer  
Complaining Officer

I swear that the above affidavit is true and correct as provided to me on this 27th day of February, 2017.

Steven Mayer  
Peace Officer/Affiant



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

Pamela Mattern  
Notary Public  
Burleigh Co