



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Initial Report BCI17-00138/1

Report Date: 03/14/2017

Warning

Contains entities exempt from disclosure

Primary Information

Description: Fire Investigation
Occurrence From: 02/22/2017 00:00
Occurrence To: 02/24/2017 00:00
Reporting LEO: WOLD, LINDSAY (BISMARCK / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Approval Status: Approved
Approved Date: 04/17/2017
Approved By: ERICKSON, TIM (SOUTHWEST REGION / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

On February 22, 2017, FALLON ROWLAND and Raymond Eagle Hawk Jr. were injured in a fire located inside the Oceti Sakowin protest camp in rural Morton County, North Dakota.

Address #1 - ACTIVITY LOCATION #1 - MORTON COUNTY

Primary Information

Address: MORTON COUNTY, MANDAN, NORTH DAKOTA, UNITED STATES

Offenses

Table with 5 columns: Offense Type, Offense, Attempted/Committed, Statute, UCR Class. Row 1: FELONY, Endangering by Fire or Explosion, COMMITTED, 12.1-21-02, 200

Subject #1 - WITNESS #1 - EAGLE HAWK, RAYMOND SR

Primary Information

Subject Name: EAGLE HAWK, RAYMOND SR
Record Type: PERSON
Bio: 31 yr. old, UNKNOWN, MALE
Birth Date: 12/22/1985
Juvenile: NO

Relationship Information

Related Offense: WITNESS of

Subject #2 - WITNESS #2 - ROWLAND, CLARENCE

Primary Information

Subject Name: ROWLAND, CLARENCE
Record Type: PERSON
Bio: 26 yr. old, UNKNOWN, MALE
Birth Date: 09/22/1990

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**Subject #2 - WITNESS #2 - ROWLAND, CLARENCE - Continued**

**Primary Information - Continued**

Juvenile: NO

**Relationship Information**

Related Offense: WITNESS of

**Subject #3 - WITNESS #3 - ROWLAND, JUSTIN**

**Primary Information**

Subject Name: ROWLAND, JUSTIN

Record Type: PERSON

Bio: 22 yr. old, UNKNOWN, MALE

Birth Date: 10/05/1994

Juvenile: NO

**Relationship Information**

Related Offense: WITNESS of

**Subject #4 - WITNESS #4 - SUNBEAR, DOROTHY**

**Primary Information**

Subject Name: SUNBEAR, DOROTHY

Record Type: PERSON

Bio: 57 yr. old, UNKNOWN, FEMALE

Birth Date: 05/28/1959

Juvenile: NO

**Relationship Information**

Related Offense: WITNESS of

**Subject #5 - SUSPECT #1 - ROWLAND, FALLON**

**Primary Information**

Exempt From Disclosure: YES

Subject Name: ROWLAND, FALLON

Record Type: PERSON

Bio: 17 yr. old, UNKNOWN, FEMALE

Birth Date: 05/19/1999

Juvenile: YES

**Relationship Information**

Related Offense: SUSPECT of



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**Subject #6 - MENTIONED #1 - LNU, ALLIE**

**Primary Information**

Subject Name: LNU, ALLIE  
Record Type: PERSON  
Bio: UNKNOWN, FEMALE  
Juvenile: NO

**Relationship Information**

Related Offense: MENTIONED of

**Subject #7 - MENTIONED #2 - NESTOR, BRUCE**

**Primary Information**

Subject Name: NESTOR, BRUCE  
Record Type: PERSON  
Bio: UNKNOWN, MALE  
Juvenile: NO

**Relationship Information**

Related Offense: MENTIONED of

**Subject #8 - VICTIM - JUVENILE #1 - EAGLE HAWK, RAYMOND JR**

**Primary Information**

Exempt From Disclosure: YES  
Subject Name: EAGLE HAWK, RAYMOND JR  
Record Type: PERSON  
Bio: 10 yr. old, UNKNOWN, MALE  
Birth Date: 02/08/2007  
Juvenile: YES

**Relationship Information**

Related Offense: VICTIM - JUVENILE of

**Officers**

LEO

ARENZ, JOE (BISMARCK / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)  
MILLER, CASEY (BISMARCK / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)  
HILL, DEREK (SPECIAL AGENT / BUREAU OF ALCOHOL, TOBACCO, FIREARMS FARGO)  
HOFF, BRIAN (SPECIAL AGENT / FBI BISMARCK)  
STEVE, TAKACS (FBI)  
JOE, O'BRIEN (MNBCA)

Narrative begins on the following page.

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**CASE/REPORT #: BCI17-00138/1**

**Report Title: Fire Investigation**

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**Details:**

(ALL TIMES ARE APPROXIMATE)

1. On February 22, 2017, the Morton County Sheriff's Department in Mandan, North Dakota, requested assistance conducting an investigation into how two (2) juveniles received burns at the Oceti Sakowin protest camp located in Morton County, North Dakota.
2. Special Agent (S/A) Lindsay Wold met with S/A Brian Hoff and S/A Steve Takacs at the Sanford Hospital in Bismarck, North Dakota, where both victims were receiving medical treatment. S/A Wold learned the following from S/A Hoff and S/A Takacs:
  - A. FALLON ROWLAND was a seventeen (17) year old female that suffered severe burns to multiple parts of her body. FALLON ROWLAND was currently receiving emergency medical treatment and was unable to speak to anyone.
  - B. Clarence Rowland and Justin Rowland were FALLON ROWLAND's brothers and were currently at the hospital.
  - C. Raymond Eagle Hawk Jr. was a ten (10) year old male who suffered minor burning. Raymond Eagle Hawk Jr. was cousins with FALLON ROWLAND, Clarence Rowland, and Justin Rowland.
  - D. FALLON ROWLAND was transported to Sanford Hospital by Standing Rock Ambulance and Dee Ann Were and Jennifer Berg were the Emergency Medical Service (EMS) personnel in the ambulance. Clarence Rowland rode in the ambulance with FALLON ROWLAND.
  - E. Raymond Eagle Hawk Jr. was transported to Sanford Hospital in a separate Standing Rock Ambulance. Zachary Hanson and Robin Shaw Sr. were the EMS personnel in the ambulance. Justin Rowland rode in the ambulance with Raymond Eagle Hawk Jr.
3. S/A Wold and S/A Joe Arenz spoke with both Clarence Rowland and Justin Rowland regarding the incident which caused the injuries to FALLON ROWLAND and Raymond Eagle Hawk Jr. Clarence Rowland and Justin Rowland were very hesitant to speak to law enforcement, and said they did not want to say anything until their grandmother, Dorothy Sunbear, arrived at the hospital. Clarence Rowland and Justin Rowland did not know when or if Dorothy Sunbear would be coming to the hospital, and they said that they did not have any way to contact Dorothy Sunbear.
4. FALLON ROWLAND suffered serious burning to her face and hands and was unable to speak to agents. FALLON ROWLAND was subsequently transported to Regions Hospital in St. Paul, Minnesota.

5. Due to the fact the cause of the burn injuries to FALLON ROWLAND and Raymond Eagle Hawk Jr. were unknown and agents were not able to process the scene of the fire because it was within the protest camp, it was decided that agents would take the clothing belonging to FALLON ROWLAND and Raymond Eagle Hawk Jr. All of the clothing items had been previously removed from FALLON ROWLAND and Raymond Eagle Hawk Jr.'s persons and had been placed in bags in their respective rooms. S/A Arenz along with Sanford Hospital Staff inventoried the clothing items located in FALLON ROWLAND's room and completed an Evidence Inventory and Receipt detailing the items taken. A copy of the Evidence Inventory and Receipt was left with the Sanford Hospital. S/A Wold and S/A Arenz inventoried the property located in Raymond Eagle Hawk Jr.'s room, photographed it, and completed an Evidence Inventory and Receipt. A copy of the Evidence Inventory and Receipt was left with the Sanford Hospital. It should be noted, it appeared that clothing items from FALLON ROWLAND were in Raymond Eagle Hawk Jr.'s room based on the size of the clothing items, such as a pair of pants and a single boot.
  - A. While inventorying Raymond Eagle Hawk Jr.'s property, a debit card belonging to Clarence Rowland was located. This was signed back over to Clarence Rowland.
6. Raymond Eagle Hawk Jr. was admitted to the hospital and moved into a room in the pediatrics area of the hospital. S/A Wold and S/A Arenz went to speak to Raymond Eagle Hawk Jr. Raymond Eagle Hawk Jr. said that Clarence Rowland had told him not to talk to anyone until Dorothy Sunbear got to the hospital. S/A Wold audio-recorded this conversation and a copy was attached to this report.
7. Raymond Eagle Hawk Jr.'s father, Raymond Eagle Hawk Sr., arrived at Sanford Hospital and agreed to speak with agents. The conversation with Raymond Eagle Hawk Sr. was audio-recorded and a copy of that audio recording was attached to this report. The following information was provided to agents by Raymond Eagle Hawk Sr.:
  - A. Raymond Eagle Hawk Sr. said the camp he was in was in the process of moving, which was the Oglala Kitchen camp located within the Oceti Sakowin protest camp. The camp was being moved up the hill out of the area that floods, but still within the protest camp.
  - B. Raymond Eagle Hawk Sr. had just gotten back to the old camp area when he saw Raymond Eagle Hawk Jr. Raymond Eagle Hawk Sr. yelled hello to Raymond Eagle Hawk Jr. and then saw the tarpee "just boom." The tarpee went up into the air and then fell over onto the ground. Raymond Eagle Hawk Sr. described a tarpee as a teepee type structure that was wrapped in a tarp.
  - C. Raymond Eagle Hawk Sr. grabbed his son and saw someone in the tarpee screaming. Raymond Eagle Hawk Sr. reached into the tarpee, grabbed the person, and threw the person into a water puddle. Raymond Eagle Hawk Sr. realized that it was his niece, FALLON ROWLAND.
  - D. FALLON ROWLAND's shirt was "smoking," and FALLON ROWLAND told Raymond Eagle Hawk Sr. that FALLON ROWLAND was still burning. Raymond Eagle Hawk Sr. continued to throw water on FALLON ROWLAND, even though the fire was extinguished.

- E. Someone with a radio called for medical personnel. FALLON ROWLAND and Raymond Eagle Hawk Jr. were placed in a vehicle and taken to an ambulance.
  - F. Raymond Eagle Hawk Sr. removed propane tanks that were next to the tarpee, but none of the tanks appeared to have been damaged in the fire.
  - G. The tarpee that started on fire belonged to FALLON ROWLAND and her boyfriend, though the boyfriend had previously returned to the reservation.
  - H. FALLON ROWLAND had not been staying in the tarpee because camp had been moved up the hill, but family members were still in the process of removing property from the old camp.
  - I. Raymond Eagle Hawk Jr. was a couple of feet from the door of the tarpee when the tarpee started on fire.
  - J. Raymond Eagle Hawk Sr. thought the tarpee was heated with a wood stove.
8. Raymond Eagle Hawk Sr. allowed agents to speak to Raymond Eagle Hawk Jr. Agents accompanied Raymond Eagle Hawk Sr. to Raymond Eagle Hawk Jr.'s hospital room. S/A Wold audio-recorded the conversation with Raymond Eagle Hawk Jr., and a copy of the audio recording was attached to this report. Raymond Eagle Hawk Jr. provided agents with the following information:
- A. FALLON ROWLAND and Raymond Eagle Hawk Jr. were the only two (2) people in the tarpee.
  - B. FALLON ROWLAND was going to start her tarpee on fire before it was taken down by law enforcement.
  - C. FALLON ROWLAND was going to light paper on fire, which was sitting by the door of the tarpee.
  - D. Raymond Eagle Hawk Jr. did not see FALLON ROWLAND pour gas inside the tarpee, though when Raymond Eagle Hawk Jr. entered the tarpee, FALLON ROWLAND asked Raymond Eagle Hawk Jr. to take a gas can out of the tarpee. Raymond Eagle Hawk Jr. took the gas can out of the tarpee.
  - E. The property that was inside the tarpee were items that FALLON ROWLAND needed, like a cot, blankets, and other miscellaneous property.
  - F. Raymond Eagle Hawk Jr. had been told by his sister prior to the fire being started that FALLON ROWLAND and Raymond Eagle Hawk Jr.'s aunt (Allie LNU [last name unknown]) were going to start FALLON ROWLAND's tarpee on fire. Raymond Eagle Hawk Jr. had wanted to watch the tarpee burn, so that was why Raymond Eagle Hawk Jr. was at FALLON ROWLAND's tarpee.
9. Raymond Eagle Hawk Sr. completed a medical release form allowing agents to get copies of Raymond Eagle Hawk Jr.'s medical records from the Sanford Hospital. A copy of that form was attached to this report.

10. Raymond Eagle Hawk Jr. was reluctant to speak to agents because Clarence Rowland had told Raymond Eagle Hawk Jr. not to speak to law enforcement until Dorothy Sunbear was there.
11. On February 23, 2017, the Morton County Sheriff's Department with the assistance of various other law enforcement agencies conducted an evacuation of the Oceti Sakowin protest camp. Once protestors had left the area, agents from the North Dakota Bureau of Criminal Investigation (NDBCI) documented the camp with photographs. As part of this documentation, S/A Wold located what S/A Wold believed to be the tarpee belonging to FALLON ROWLAND that burned on February 22, 2017. The tarpee was located directly to the east of the Oglala Kitchen building and laying on the ground. The tarpee was burnt in areas and the foundation area of the tarpee was burnt as well.
12. During the search of the burnt area around the tarpee and underneath the tarpee, S/A Wold photographed the area and located and seized the following items:
  - A. A black and white boot located in a water puddle underneath the tarpee. This boot appeared to be a match with the boot that was taken from the Sanford Hospital.
  - B. A red colored gas can was located underneath the tarpee. The spout of the gas can was missing and the area where the spout would attach to the gas can was melted. Oglala Kitchen was written on the top of the gas can. There was a liquid inside the gas can that smelled like gasoline. A sample of the liquid was taken and the rest was disposed of.
  - C. A gas can spout was located in the debris to the east of the tarpee. The end of the spout was melted.
13. The foundation area of the tarpee was made of various blankets and tarps. The top layers were charred though the bottom layers were not. There was burnt straw covering much of the foundation area of the tarpee that was also burnt.
14. Various items were located on the foundation area of the tarpee that were melted and/or burnt. Some of these items consisted of a plastic shield, plastic containers, a cot, a folding chair, and a plastic shelving unit.
15. Multiple fire extinguishers were located around the area of the burnt tarpee.
16. On February 24, 2017, S/A Wold and S/A Casey Miller went to the Sanford Hospital and spoke to Raymond Eagle Hawk Jr. S/A Wold audio-recorded the conversation with Raymond Eagle Hawk Jr. and a copy of that audio recording was attached to this report. Raymond Eagle Hawk Jr. provided the following information:
  - A. Raymond Eagle Hawk Jr. had just walked out of the tarpee and he was standing outside of the tarpee when the fire started.
  - B. The gas can was outside of the tarpee in a puddle.
  - C. The door of the tarpee faced the wooden structure (Oglala Kitchen building).

- D. FALLON ROWLAND had told Raymond Eagle Hawk Jr. that FALLON ROWLAND was going to light her glove on fire and use that to light the tarpee on fire. FALLON ROWLAND had a lighter. Raymond Eagle Hawk Jr. said that he did not know that FALLON ROWLAND had put gas inside the tarpee.
  - E. FALLON ROWLAND was alone in the tarpee.
17. As agents were leaving Raymond Eagle Hawk Jr.'s hospital room, Dorothy Sunbear arrived. Dorothy Sunbear refused to shake agents' hands and did not want to speak to agents. Dorothy Sunbear said that she wanted to have the governor and President Donald Trump arrested for attempted murder for the burn FALLON ROWLAND suffered to her face. S/A Wold tried to speak further with Dorothy Sunbear, but Dorothy Sunbear would just look at the floor and not speak to S/A Wold. S/A Wold left a business card with Dorothy Sunbear and told Dorothy Sunbear to call if Dorothy Sunbear had any further questions.
18. S/A Wold asked Minnesota Bureau of Criminal Apprehension S/A Joe O'Brien to conduct an interview of FALLON ROWLAND. S/A O'Brien told S/A Wold that S/A O'Brien was ultimately contacted by Bruce Nestor, an attorney, who stated that he was representing FALLON ROWLAND. Bruce Nestor stated that FALLON ROWLAND did not wish to speak to law enforcement and that law enforcement was not to contact FALLON ROWLAND.
19. This investigation continues.
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**Other Personnel Assisting:**

Dee Ann Were, Standing Rock Ambulance  
Jennifer Berg, Standing Rock Ambulance  
Zachary Hanson, Standing Rock Ambulance  
Robin Shaw Sr., Standing Rock Ambulance

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**Description and Custody of Evidence:**

1. All evidence seized remains in the custody of S/A Lindsay Wold and the NDBCI.
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**Attachments:**

1. One (1) CD (Fire Investigation Folder) Containing the Following:
- A. Digital Photographs taken by S/A Joe Arenz at Sanford Hospital on February 22, 2017
  - B. Digital Photographs taken by S/A Lindsay Wold and S/A Casey Miller of the burnt Tarpee taken on February 23, 2017
  - C. Audio recording of interview with Raymond Eagle Hawk Jr. on February 22, 2017 (2 recordings)



- D. Audio Recording of Interview with Raymond Eagle Hawk Sr. on February 22, 2017
  - E. Second (2nd) Audio Recording of Interview with Raymond Eagle Hawk Jr. on February 24, 2017
  - F. Authorization for Disclosure of Medical Information
  - 2. Evidence Inventory and Receipt of Items from Raymond Eagle Hawk Jr.'s Room (1 Pg), 02-22-2017
  - 3. Evidence Inventory and Receipt from Search of Tarpee (1 Pg), 02-23-2017
  - 4. Evidence Inventory and Receipt of Items from FALLON ROWLAND (1 Pg), 02-22-2017
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**Distribution:**

Lindsay Wold, NDBCI, Bismarck, ND  
Morton County Sheriff's Department, Mandan, ND  
Morton County State's Attorney's Office, Mandan, ND

Case: 1700138/1  
Agent: 424LW  
Initial  
Attachment #1

1. One (1) CD (Fire Investigation Folder) Containing the Following:
  - A. Digital Photographs taken by S/A Joe Arenz at Sanford Hospital on February 22, 2017
  - B. Digital Photographs taken by S/A Lindsay Wold and S/A Casey Miller of the burnt Tarpee taken on February 23, 2017
  - C. Audio recording of interview with Raymond Eagle Hawk Jr. on February 22, 2017 (2 recordings)
  - D. Audio Recording of Interview with Raymond Eagle Hawk Sr. on February 22, 2017
  - E. Second (2nd) Audio Recording of Interview with Raymond Eagle Hawk Jr. on February 24, 2017
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