

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

**AFFIDAVIT**

I, Daniel Halonen, an employee of Dunn County  
attest to the following:

1. That I am a trained and licensed peace officer with 4.5 years of experience with jurisdiction to enforce state law in Dunn County, North Dakota.

2. That on the 23 day of February, 2017, at approximately 1230 hours, in Morton County, North Dakota, at (specific location) Oceti Sawkoin Camp

3. The suspect was identified as (Full Name) Erick Rafino Salas whose date of birth is (Month) October (Day) 21, (Year) 1992, and is        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:

On 02/23/2017 the reporting deputy (R/D) Daniel Halonen of the Dunn County Sheriff's Office was assisting with the eviction of the protesters from their camp near the Cannonball River. Myself and Deputy Sul of the Dunn County Sheriff's Office subsequently arrested two males that were sitting by a bonfire near a homemade structure. Both males were handcuffed behind their back and the handcuffs were checked for proper fit. The handcuffs that were used were disposable plastic handcuffs. RD observed a black male that was not complying with Deputy Sul's directions so RD assisted the male to the ground and restrained him, removing his gloves so that Deputy Sul could place the handcuffs on the male individual. The male was holding in his hands a feather fan and also what RD believed to be sage in the other hand and would not drop it. The male was already in the kneeling position.

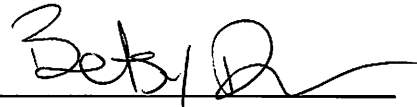
Nothing further at this time

Deputy Daniel Halonen 3264  
Dunn County Sheriff's Office

Dated this 1 day of March, 2017.

  
Complaining Officer/Affiant

Subscribed and sworn before me on the 1 day of March, 2017.

  
Notary  
Dunn County

