

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MORTON

SOUTH CENTRAL JUDICIAL DISTRICT

The State of North Dakota,

Cr. No. 30-2016-CR- 1327

Plaintiff,

vs.

CRIMINAL COMPLAINT

MYRON C. DEWEY

Defendant.

The undersigned complainant, being first duly sworn, charges that:

COUNT I: On and about the 8th day of October, 2016, in Morton County, North Dakota, the above-named Defendant committed the offense of STALKING in violation of Section 12.1-17-07.1 of the North Dakota Century Code by then and there: (1) engaging in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person and which serves no legitimate purpose; or (2) engaging in unauthorized tracking of a person's movements or location through the use of a global positioning system or other electronic means that would cause a reasonable person to be frightened, intimidated, or harassed and which serves no legitimate purpose; to-wit: At said time and place the above-named defendant harassed, frightened and/or intimidated security workers on a job sight by using a drone to record and photograph individuals on the job site, their vehicles, license plates and/or where they were working which made them fear for their lives and their families' lives.

**Penalty Section: 12.1-17-07.1 N.D.C.C.
Class A Misdemeanor**

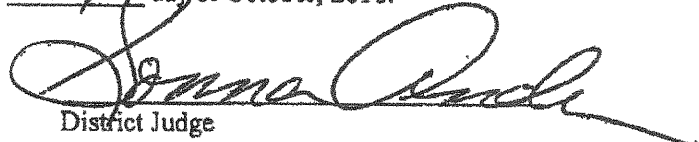
All of this contrary to the statute in such cases made and provided and against the peace and dignity of the State of North Dakota.

WHEREFORE, Complainant prays that Defendant may be arrested and dealt with according to law.



Complainant


Print Complainant Name

Subscribed and sworn to before me this 14 day of October, 2016.


District Judge

Complaint Approved:


Gabrielle J. Gater, ND #06595
Assistant State's Attorney
Morton County, North Dakota

Warrant Issued

STATE OF NORTH DAKOTA

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COUNTY OF MORTON

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SS.

AFFIDAVIT

Your affiant, Joe Gress, is a Special Deputy with the Morton County Sheriff's Office assigned to the Investigations Division. As such, my duties are focused on the investigation of crimes in Morton County, North Dakota. Your affiant graduated the Lake Region State College Police Academy in 2004 and has been a licensed police officer in the State of North Dakota since then. In 2004, your affiant was hired by the Valley City/Barnes County Drug Task Force. In 2006, your affiant was hired by the Cass County Sheriff's Office. In August of 2016, your affiant was sworn-in as a Special Deputy in Morton County. Your affiant has received over 2,000 hours of specialized law enforcement training to include, but not limited to: criminal investigations, crime scene investigations, and interviewing techniques.

1. Your affiant has reviewed Morton County Sheriff's Office case report number MT-16-001730 and is drafting this affidavit from said report.
2. On 10/08/16, law enforcement personnel observed Myron Dewey, via Myron's Facebook Page titled "Myron Dewey," live streaming drone footage titled "DAPL security." Myron lists on Myron's Facebook Page that Myron is a "Professor, filmmaker/editor, iDrone, owner of Digital Smoke Signals, digital storyteller trainer." Myron lists amongst multiple occupations on Myron's Facebook Page as a "4k Drone Filmmaker & editor." Myron has been in this occupation since January of 2015 and classifies himself as a "Social Media & Film Speacisist." Myron's Facebook Page is currently followed by 13,734 people.
3. This particular drone footage began live at 1212 hours. Myron's drone, a DJI Phantom 4, was flying over land owned by Energy Transfer Partners. Myron said Myron was going to take pictures of the security officer's faces and license plates and was then going to post the pictures [To social media]. Myron said the security officers would cover their faces. There were two (2) security officers, one (1) in a white in color passenger vehicle and one (1) in a blue in color pick-up truck. Myron said the purpose of taking the drone footage was to show persons watching where the DAPL security was located and what they were doing. Myron then flew the drone high in the air and around the security officers' location to clearly show where the security officers were located for any persons watching the live streaming.
4. It should be noted your affiant has also watched the footage. Your affiant was able to watch Myron use Myron's drone to take photographs of the security vehicles. Your affiant was able to see one (1) of the security officers covering their face so Myron would not be able to broadcast the security officers' identity. It appears to your affiant Myron was engaging in conduct that was directed at two (2) different security officers, that frightened, intimidated, and harassed said security officers. Your affiant was unable to see any legitimate purpose this conduct served.
5. At 1700 hours, Morton County Sheriff's Office Deputy Jon Moll conducted a traffic stop on a vehicle bearing OH/GOJ1930. The vehicle was occupied by three (3) individuals, one (1) of which was Myron Dewey (Identified via Myron's Tribal ID card). Deputy Moll had received information earlier in the day the Myron's drone had been used in a Stalking incident. A request


had been made by law enforcement to seize Myron's drone if found pursuant to a Stalking complaint. Deputy Moll was able to see Myron's drone in plain sight in the backseat of the vehicle. Deputy Moll seized Myron's drone.

6. The two (2) security officers that were filmed on 10/08/16 gave law enforcement written statements on 10/09/16. The following is a paraphrased summary your affiant put together after reading the case report:

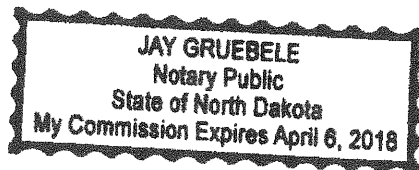
On 10/08/16, at approximately 1214 hours, two (2) security officers with Leighton Security were on-duty east of Highway 1806 on the Cannonball Ranch. Both officers were sitting in their vehicles. Each of the officers reported hearing a noise above their vehicles and then seeing a drone flying above their vehicles. The drone circled both vehicles and then flew directly in front of each vehicle. The security officers felt the drone was possibly attempting to get photographs or videos of the security officers and their vehicle license plates. Both security officers stated they were in fear for their lives and their families' lives because the drone was possibly live streaming video to social media.

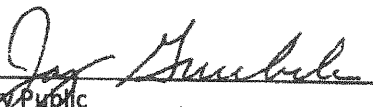
7. Through your affiant's training and experiences as a law enforcement officer, and working for several weeks during the Dakota Access Pipeline (DAPL) protest, your affiant has learned that protesters are using different social media platforms in an attempt to frighten, intimidate, and harass law enforcement and security officers all of which serves no legitimate purpose. In doing so, the persons operating these social media accounts are stalking both law enforcement and security officers through posting any personal information they are able to find concerning said law enforcement and security officers to the protesters' different social media accounts, thus allowing anyone following said accounts to have access to this personal information. These individuals have been commonly using cellular telephones, portable handheld radios, and drones to accomplish these illegitimate goals.
8. Your affiant requests filing the following charge of Stalking (A-Misdemeanor) for Myron Charles Dewey, as Myron, engaged in an intentional course of conduct directed at two (2) Leighton Security Officers, which frightened, intimidated, and harassed the security officers; and such conduct served no legitimate purpose.

Dated, October 13, 2016


Affiant: Joe Gress

Subscribed and sworn before me on the 13 day of October, 2016.




Notary Public
Morton County, North Dakota