

Date: 8/17/17 Case #: 17-56370

Released by: 337 Redacted by: 337 ☐ No redaction required.

Released to: West Fargo Public Schools/hill@west-fargo.k12.nd.us

Depending on the record requested and relevant open record rules the following has been redacted. (Check all that apply):

☐ Personal identifying information, including an individual's photograph, Social Security and driver identification numbers; name, address and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record or any department record, including traffic accident reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722). Financial information such as checking account or credit card account numbers.

☒ Any record containing an address, telephone number or any identifying information that, if released, could reasonably be used to locate or identify a victim or alleged victim of domestic violence, sex offenses under Chapters 12.1-20 or 12.1-27.2, or human trafficking under Chapter 12.1-40 of North Dakota's Criminal Code (N.D.C.C. § 44-04-18.20). The name and any other information that would identify any victim as allowed by law (N.D.C.C. § 12.1-34-03; N.D.C.C. § 12.1-34-02). The identity, pictures and images of any victim of human trafficking or of the victim's family members unless the information is required to be released by a court order; the information is necessary for investigation or prosecution of the offense; or the information is necessary to ensure provision of services or benefits for the victim or victim's family (N.D.C.C. § 12.1-41-10).

☒ Any record regarding a delinquent child or that is a compilation of a minor's name, address, telephone number or any combination thereof (N.D.C.C. § 27-20-52; N.D.C.C. § 44-04-18.13).

☐ Personal information in accordance with Marsy's Law.

☐ Crime scene images of a victim of a homicide or sex crime or any image of a minor victim of any crime is an exempt record (N.D.C.C. § 44-04-18.7(8)).

☐ Confidential information such as any telephone number and the home address of any employee; records or other information that would reveal the identity or endanger the life or physical well-being of an undercover officer; or any record containing the work schedule of employees (N.D.C.C. § 44-04-18.3). Personnel records, medical records and similar records which would involve personal privacy (N.D.C.C. § 44-04-18.1).

☐ Information that would identify or provide a means of identifying a confidential informant, if the identity of the informant is not otherwise publicly known (N.D.C.C. § 44-04-18.3).

☐ Active criminal intelligence information and active criminal investigative information, and personal information of any person contained in an active or inactive file (N.D.C.C. § 44-04-18.7).

☐ Intelligence information, law enforcement techniques or security procedures (N.D.C.C. § 44-04-24; N.D.C.C. § 44-04-25).

☐ Computer software programs and passwords (N.D.C.C. § 44-04-18.5; N.D.C.C. § 44-04-27). IP address information.

☐ ~~Attorney work product that was created exclusively for civil or criminal litigation or in anticipation of potential litigation involving this department (N.D.C.C. § 44-04-19.1).~~

☐ Other records where such inspection would be contrary to any state or federal statute or regulation, or such inspection is prohibited by rules or procedures promulgated by the North Dakota Supreme Court or by the order of any court.

No redaction required.
SARAN KIR

FARGO POLICE DEPARTMENT

Summary

Print Date/Time: 08/17/2017 11:10
Login ID: cityoffargo\rtthomas
Case Number: 2017-00056370

ORI Number: FARGO POLICE DEPARTMENT
ND0090200

Case

Case Number: 2017-00056370
Location: ~~REDACTED~~
Reporting Officer ID: 550 - Sazama

Incident Type: Alcohol Offense - Non Traffic
Occurred From: 07/10/2017 02:44
Occurred Thru: 07/10/2017 04:25
Disposition: No State Prosecution
Disposition Date: 07/10/2017
Reported Date: 07/10/2017 02:44 Monday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	ND	90F	14-09-22(1)(b,c,d)	CHILD NEGLECT/ABUSE - NON-VIOLENT	1
2	ND	90Z	14-10-06(1)	CONTRIBUTE DEPRV/DELINQ MINOR	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Mentioned	1						
Suspect	1	DOSTER, ELIZABETH MARY	REDACTED	(701)476-8728	White	Female	10/25/1976 40
Victim	1	SOCIETY					

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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FARGO POLICE DEPARTMENT

Summary

Print Date/Time: 08/17/2017 11:10
Login ID: cityoffargo\rthomas
Case Number: 2017-00056370

ORI Number: FARGO POLICE DEPARTMENT
ND0090200

Routing:

- ☐ US Attorney
- ☐ LaserFiche Documents Exist
- ☐ LaserFiche Documents - Not Sent
- ☐ LaserFiche Documents - Sent
- ☐ State Medical Examiner
- ☐ Probation & Parole
- ☐ Rape & Abuse
- ☐ Juvenile Court
- ☐ Social Services
- ☐ City Attorney
- ☐ States Attorney

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SIS

On 7/10/17 at 0250 hours I, Officer Sazama, was dispatched to ~~11111~~ ~~11111~~ for a disturbance.

When on scene, I spoke with the suspect, Elizabeth Doster. She said she had been drinking with friends at her house. She then said she had been the only one drinking because she was the only one of age. She said she, and her 18 year old former students, were all playing pong in the house and the loser had to take a drink of whatever they were drinking. She said she was unaware that anyone else playing had alcohol. She said they were drinking water and juice. Doster was highly intoxicated and had trouble standing on her own.

When I first made contact with the caller, [REDACTED] she appeared visibly upset because she was crying and very emotional. [REDACTED] said she was too afraid to even go home because of [REDACTED] level of intoxication and her fear of [REDACTED]. She said [REDACTED] Elizabeth, gave [REDACTED] alcohol in a water bottle. [REDACTED] said Doster and [REDACTED] had been drinking heavily throughout the night. She said when they were playing pong, [REDACTED] was taking shots of alcohol from the bottle Doster gave him. [REDACTED] said [REDACTED] came to the house with another male friend, and Doster and he began to argue. [REDACTED] said she was afraid it was going to get violent and when she went to Doster for shelter, she was too intoxicated to do anything about it.

Doster was highly intoxicated to the point to where she couldn't stand on her own and was oblivious to the fact that [REDACTED] was so uncomfortable with the situation that [REDACTED] left the house and called the police. After [REDACTED] was returned home, Doster was emotional and crying, stating several times, "I should have been there [REDACTED]"

[REDACTED] was detained and Mirandized prior to questioning pertaining to the disturbance. He consented to taking a PBT. The PBT was given at 0353 hours and gave a result of .235.

[REDACTED] was cited and released for minor under the influence of alcohol.

Forward to SA and CPS.

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7/11/17_THOMAS

17-56370, THOMAS
SUP001

On 07/10/17 at approximately 0244 hours I, Officer Patrick Thomas, arrived in the vicinity of ~~11111~~ and ~~11111~~ after the complainant, [REDACTED] called in alarmed to report [REDACTED] had been drinking with two friends, consuming an entire bottle of rum. [REDACTED] had left the home because she was alarmed by the behavior and was unsure what to do. [REDACTED] further stated [REDACTED] had been pushing her around and told her she would never forgive her if she called the police. [REDACTED] said she was scared for [REDACTED] [REDACTED] subsequently identified as Elizabeth Doster, and did not want to get her in trouble.

[REDACTED] then reported one of the friends had exited the house, ~~11111~~. They tried to get her back inside the house. [REDACTED] left the area eventually ending up near the Goddard School, which is approximately the ~~11111~~.

Officers Iverson and Sazama arrived on scene prior to me. Upon my arrival I observed Officer Sazama speaking with three young men. One was identified as [REDACTED]. The second was identified as [REDACTED]. The third was identified as [REDACTED].

Officer Iverson reported that [REDACTED] was in his patrol vehicle after he located her. I walked to his patrol vehicle and could hear [REDACTED] crying emotionally obviously agitated or scared with Iverson interviewing her. It should be noted this interview was captured on Officer Sazama and Iverson's squad car video; unknown squad car number.

I overheard [REDACTED] state that a male, identified as [REDACTED], one of Doster's friends, had touched her on the breast at least five times while she, [REDACTED], the others and Doster were inside the residence. Officer Iverson questioned her further about this to discover if she had been the victim of a crime. It should be noted the male was subsequently identified as [REDACTED] therefore, being over 18, an adult.

While speaking with [REDACTED] and [REDACTED] I determined that [REDACTED] supposedly the sober babysitter for [REDACTED]

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██████████ while ██████████ Doster, became intoxicated that night.

During our time on scene and prior to arriving at the residence it should be noted that Doster called ██████████ in a very accusatory and emotional manner, verbally berating her on speaker phone stating that because ██████████ left the house and called police she would lose her job and be arrested and was upset about that. Officer Iverson then spoke to the female on the other line, identified as Doster, stating we were going to return to the residence to speak with her and also find out the events of that evening.

At this time the three males, ██████████ and ██████████ got back into their car and drove back to the house at ~~██████████~~ with our direction.

Once arriving at ~~██████████~~ Elizabeth Doster, ██████████ exited the house clearly intoxicated. Doster was barely able to stand, quite emotional and had severe cognitive impairment due to her level of self-induced intoxication. She was barely able to understand what we were attempting to communicate with her. It was determined that Doster's mother ██████████ was in the house sober, but asleep and unaware of the events that had or were transpiring. Thereby unable to care for ██████████

Note that without prompting multiple times Doster stated she was very intoxicated. This was largely due to a family member passing and she stated, "I needed this". It should also be noted Doster was impaired to the point that she did not notice the vehicle that ██████████ and ██████████ had returned in, driving directly past the house as we spoke in the driveway. Likewise, she was unaware the two had returned to the residence or that ██████████ had ridden by returning to the residence

I informed Doster this had in fact transpired, pointing to the car they had pulled up in. Doster responded the car was not in the area. Again we directed his attention to where they parked the vehicle. At that time she did seem to notice the presence of the vehicle. I asked her where ██████████ had gone as he had been implicated in causing possible harm to ██████████. Doster stated that he was not in her house and he had taken off when he heard the police were being called. I asked Doster if

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officers could enter her house to insure [REDACTED] had in fact left and fled the area. Doster refused stating she was invoking her first amendment rights.

I asked Doster why the young men had been in her house that night. Doster stated they were "friends" and they were ex-students of hers who she associated with and was attempting to help out because one of these were homeless.

Doster was very emotional. Multiple times spontaneously admitting she was very intoxicated and was not in a condition capable of being [REDACTED] [REDACTED] Doster often needed to be re-directed in our conversation due to her level of intoxication. Doster admitted she had drank too much alcohol too fast on an empty stomach and had vomited that night. Officers told Doster what [REDACTED] had informed us about at which time she got very upset with [REDACTED], once shoving him in the chest having to be told to cease and desist that behavior against the 18 year old. When speaking with [REDACTED] on the side I convinced him to attempt to locate whether [REDACTED] was still in the house. He went into the residence and returned ultimately informing me after a discussion that [REDACTED] was in the house. I informed Doster of this and requested she allow us to enter her home in order to detain [REDACTED], who I informed Doster had been accused of fondling [REDACTED] breasts. Doster refused again to allow officers into her house for this purpose. She stated she would bring [REDACTED] out to us.

[REDACTED] did come out a short time later and was detained in handcuffs. After this Doster appeared to forget she had denied us access to her house stating that had not occurred and again had to be reminded that I had in fact requested permission to enter for the purpose of detaining and interviewing [REDACTED] and Doster had again refused.

Officer Iverson and Officer Sazama interviewed [REDACTED] as to his involvement in the alleged groping of [REDACTED]. [REDACTED] adamantly refused this had occurred stating they had never been alone together, had been down in the over viewed basement of the house playing pong together. It should also be noted that prior to any questioning [REDACTED] an adult, was Mirandized.

[REDACTED] spoke with me again at my request and with [REDACTED] in Doster's presence. Prior to this, Doster indicated to me she has severe doubts about the truthfulness of [REDACTED] statements stating she had a previous history when she became emotional due to unspecified anxiety

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conditions to fabricate stories in the heat of the moment when upset. Doster further indicated she had done this in the past regarding her ex-husband, [REDACTED]

In speaking with [REDACTED] I asked to clarify her initial statement. This was done after [REDACTED] had almost a half hour to calm herself in the presence of her [REDACTED] and with her pets. I asked [REDACTED] where [REDACTED] had allegedly touched her in the home. [REDACTED] confirmed they had all been down in the basement together at the time, roughly about an hour before she called police. I asked what they had been doing at the time this occurred. [REDACTED] stated everyone who had been present at the scene, [REDACTED] Doster, [REDACTED] and she had been in the basement playing pong that night. Doster interjected stating that while she had been consuming alcohol shots while playing pong, the others had not. At this time [REDACTED] interjected stating that Doster had in fact given alcohol to the individuals naming specifically [REDACTED] stating she had provided shots to them from a water bottle she handed to them. Doster got upset in stating this, calling her a liar and needed to be re-directed with me asking Doster not to interrupt [REDACTED] as she recounted the incidents.

[REDACTED] then was asked what direction [REDACTED] was facing when he grabbed her breast. She paused and stated it probably was not as many times as she initially thought when she was upset in that [REDACTED] had been facing away from her standing in front of her as they played pong. [REDACTED] then hesitated stating "well, he's also taller than me and now I don't believe he had intentionally touched my breast knowingly". I confirmed with [REDACTED] that no occupants of the house spoke to her about recanting her story and she confirmed she had been upstairs with [REDACTED] who had no knowledge of what transpired and her dog. I confirmed with [REDACTED] that now she was calmer if she believed the current recollection to be true. [REDACTED] calmly told me she did in fact believe [REDACTED] had not intentionally attempted to grab her in order to gratify any desires that he might have or otherwise intentionally touch her, but rather it was likely an accident as they all stood together waiting to participate in the pong game.

I spoke with [REDACTED] in the squad car after Officer Iverson followed up with [REDACTED] as well as Doster in the residence. I asked [REDACTED] where he had been drinking. He said he had been drinking downtown. I asked him if Doster supplied any alcohol to him and he denied this although he was clearly heavily intoxicated. I asked [REDACTED] if it would surprise him if [REDACTED]

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him Doster had admitted to providing him the alcohol with [redacted] shrugging indicating that he was unaware of whatever she would tell me. I asked [redacted] where he got the alcohol downtown as he was too young to enter any liquor establishments and he stated he just saw people on the street drinking and asked them for a drink. [redacted] could not inform me how he had received transport from downtown to the address across town.

It should also be noted Doster indicated all the males had been at the house for some time which would be inconsistent with [redacted] account of having been downtown. [redacted] focused only on the fact he had not drank and driven, stating he was a good person and was just staying at the house in order not to drink and drive.

Note, [redacted] speech was slurred and the strong odor of respired alcohol emanated from him. He also had glossy, bloodshot watery eyes. I asked [redacted] about the initial allegation [redacted] claimed. Again [redacted] with very indignant responses flatly denied any of this stating and asking "do I look like I have any problem getting girls?"

Due to [redacted] recanting of her allegation in a much calmer state, officers did not have probable cause to believe that [redacted] had purposefully or intentionally grabbed [redacted] in a sexual manner.

Despite this notwithstanding, Doster's behavior that night led us to believe she had likely contributed to the delinquency/deprivation of a minor, namely [redacted]

In that due to her level of self-induced intoxication, Doster created an environment that encouraged, caused or contributed to the deprivation of a child in such a manner that it made possible [redacted] an 18 year old, clearly under 21 YOA and a former student of Doster with Doster knowing he was under 21. Having invited him into the house and becoming so intoxicated she could not control either her decision making or physically restrict the consumption or possession of alcoholic beverages by the minors present. Thereby, creating an environment where [redacted] became very intoxicated to the point he registered a result of .235 breath alcohol on the PBT. While Doster denied she provided alcohol directly to them, it should be noted that [redacted] who was present at the pong event in the basement, indicated she observed Doster pour alcohol into a water bottle she handed to the minors. Notwithstanding it is unlikely even in an intoxicated state that Doster would not have noticed in the open basement the juveniles becoming intoxicated.

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Also due to her self-induced level of intoxication, Doster was in a condition she was clearly unable to care for the needs of [REDACTED] in that she admitted to becoming very drunk very quickly and also indicating her awareness that her behavior was unacceptable telling officers that she was a [REDACTED] and she had not been there for [REDACTED]

Doster also placed a phone call to [REDACTED] where she verbally berated her for becoming alarmed at the intoxicated people in the house, demonstrating an unwillingness or inability to recognize the detrimental emotional state this caused [REDACTED] to the point it appears she became so agitated she suffered acute anxiety event causing her to believe she had been groped by one of the adult males, who was also drinking with [REDACTED]

Due to these circumstances it appears that she failed to provide proper control over the situation or care necessary for [REDACTED] mental and emotional health or morale wellbeing. Likewise, it appears [REDACTED] also invited these minor adults over and created an environment where they became intoxicated along with herself, placing her in a situation where the [REDACTED] had no choice but to associate with persons which could be construed as immoral, to the point [REDACTED] felt she needed to leave the residence over concerns for her safety.

Officers long formed Doster for contributing to the delinquency of a minor as well as neglect of a child.

It should be noted the majority of this interview with [REDACTED] was captured on Officer Paul Iverson's squad car video. A portion of my interviews were documented on squad 93 video.

This case report and additional supplements will be forwarded to the States Attorneys Office for consideration as well as to child protective services.

End of supplement.

lh

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