

IN THE JUSTICE COURT OF THE COUNTY OF GALLATIN,
IN AND FOR THE STATE OF MONTANA

THE STATE OF MONTANA

Plaintiff,

Cause No. _____

v.

AFFIDAVIT OF PROBABLE CAUSE

KRISTOPHER KENT CROMWELL

STATE OF MONTANA)

:ss

County of Gallatin)

RECEIVED
AUG 19 AM 9 05
GALLATIN COUNTY
JUSTICE COURT

COMES NOW Officer Jacob Ward and being first duly sworn upon oath, deposes and says:

1. Your affiant is an Officer with the Bozeman Police Department, Gallatin County, Montana.
2. On August 18, 2013, your affiant arrested the above-named defendant and charged the defendant with the crime of:

Assault on a Minor (C) FELONY

M.C.A 45-5-212

3. The crime occurred on August 18, 2013.
4. The place of the crime was at Kirk Park 2000-2300 W. Beall St. The location is within the city limits of Bozeman, Gallatin County Montana.
5. The facts relied upon to make the arrest and charge are as follows:

On August 18, 2013 I was assigned patrol duties for the Bozeman Police Department. At approximately 1645 hours I was dispatched to a disturbance in progress at Kirk Park.

Officers arrived on scene where there was no visible disturbance. Officer Lusby and I asked bystanders about the incident. A witness, EW was located, and stated that Cromwell had grabbed the victim CR (13 YOA) and had him in a headlock when he intervened and broke up the altercation. EW identified Cromwell by pointing to him and stating that he was the one asleep on the ground.

Officers talked with CR and he stated he had a small pocket knife out playing with it, when Cromwell approached unexpectedly and asked if he was "pulling a knife on him" and grabbed his hand twisting him into a headlock. CR stated he did not know Cromwell. EW intervened and broke up the altercation due to his concern for CR's safety.

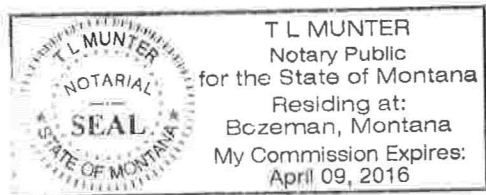
Officers approached Cromwell, woke him up and identified him by his Idaho Identification Card. Cromwell appeared extremely intoxicated by his slurred speech, inability to stand, and he had the odor of and alcoholic beverage emanating from his person.

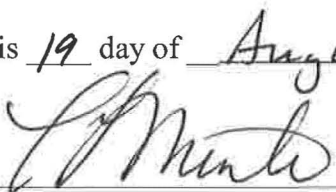
Cromwell was arrested for Assault on a Minor, transported to Bozeman Deaconess Hospital (BDH) for medical clearance due to his level of intoxication. At BDH Cromwell provided Officer Ogden with a Preliminary Breath Test sample with a BAC result of .212. Once medical clearance was obtained Cromwell was transported to and booked into Gallatin County Detention Center and held on NO BOND.

Dated this 18th day of August, 2013


Signature of Officer Jacob Ward

SUBSCRIBED AND SWORN to before me this 19 day of August, 2013.




NOTARY PUBLIC FOR MONTANA

ORDER

Upon reading the foregoing Affidavit, the Court finds that there is probable cause to believe that the above-named defendant committed the crime(s) charged.

DATED this ____ day of _____, 200__ at _____ a.m./p.m.

JUSTICE OF THE PEACE/CITY JUDGE

ORDER

Upon reading the foregoing Affidavit:

_____ IT IS HEREBY ORDERED THAT probable cause **is found** to charge the above-named defendant with the following charge(s):

_____ IT IS HEREBY ORDERED THAT probable cause **is not found** to charge the above-named defendant with the following charge(s):

DATED this ____ day of _____, 20__ at _____ a.m./p.m.

JUSTICE OF THE PEACE