

FILED
JUSTICE COURT

DEC 24 2015

Custer County

By: _____

IN THE JUSTICE COURT OF CUSTER COUNTY, STATE OF MONTANA,
BEFORE DONALD R. NEESE, JUSTICE OF THE PEACE

STATE OF MONTANA Plaintiff, vs. SCOTT AUSTIN PRICE, Defendant.	CASE NUMBER <u>CR-2015-58</u> AMENDED COMPLAINT
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CAPTAIN CASEY PRELL, Miles City Police Department, Miles City, Montana, being duly sworn, deposes and says that on December 14, 2015, at approximately 2322 hours, at 901 N. 2nd Street, in Miles City, Custer County, Montana, the above-named Defendant, SCOTT AUSTIN PRICE, committed the offense(s) of: COUNT 1: AGGRAVATED ASSAULT, a felony, as specified in § 45-5-202(1), MCA; COUNT 2: AGGRAVATED KIDNAPING a felony, as specified in § 45-5-303(1)(b), MCA; COUNT 3: THEFT, a felony, as specified in §45-6-301(1)(a), MCA; and COUNT 4: DELIBERATE HOMICIDE, a felony, as specified in §45-5-102(1)(a), MCA.

MAXIMUM PENALTIES

The maximum penalty for Aggravated Assault, a felony, is imprisonment in the state prison for a term of twenty (20) years and a \$50,000 fine. Pursuant to § 46-18-205(2)(j), the offense carries a mandatory minimum sentence of two (2) years absent an exception under § 46-18-222.

The maximum penalty for the offense of Aggravated Kidnaping, a felony, except as provided in § 46-18-219 and § 46-18-222, a person convicted of the offense of aggravated kidnaping shall be punished by death or life imprisonment as provided in § 46-18-301 through § 46-18-310 or be imprisoned in the state prison for a term of not less than 2 years or more than 100

1 years and may be fined not more than \$50,000, unless the person has voluntarily released the victim
2 alive, in a safe place, and with no serious bodily injury, in which event the person shall be
3 imprisoned in the state prison for a term of not less than 2 years or more than 10 years, and may be
4 fined not more than \$50,000.

5 The maximum penalty for the offense of Theft, a felony, is imprisonment in the state
6 prison for ten (10) years and a \$50,000 fine.

7 The maximum penalty for the offense of Deliberate Homicide, a felony, is death as
8 provided in §46-18-301 through §46-18-310, unless the person is less than 18 years of age at the time
9 of the commission of the offense, then life imprisonment, or by imprisonment in the state prison for
10 a term of not less than 10 years or more than 100 years, except as provided in §46-18-219 and §46-
11 18-222, MCA.

12 The facts constituting the offenses are:

13 **COUNT 1: AGGRAVATED ASSAULT, a felony:**

14 On or about December 14, 2015, at approximately 2322 hours, at 901 N. 2nd
15 Street, in Miles City, Custer County, Montana, the Defendant committed the offense of:
16 COUNT 1: AGGRAVATED ASSAULT, a felony, when the Defendant purposely or
17 knowingly, with the use of physical force, caused reasonable apprehension of serious bodily
18 injury or death to Helen Martin.

19 **COUNT 2: AGGRAVATED KIDNAPING, a felony:**

20 On or about December 14, 2015, at approximately 2322 hours, at 901 N. 2nd
21 Street, in Miles City, Custer County, Montana, the Defendant committed the offense of: COUNT
22 2: AGGRAVATED KIDNAPING, a felony, when the Defendant knowingly or purposely and
23 without lawful authority restrained Helen Martin by holding her in a place of isolation or by
24 using or threatening to use physical force to facilitate commission of any felony or flight
25 thereafter.

26 **COUNT 3: THEFT, a felony:**

27 On or about December 14, 2015, at approximately 2322 hours, at 901 N. 2nd
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1 Street, in Miles City, Custer County, Montana, the Defendant committed the offense of: COUNT
2 3: THEFT, a felony, when the Defendant knowingly or purposely and knowingly obtained or
3 exerted unauthorized control over property belonging to Ed and/or Helen Martin with the
4 purpose of depriving Ed and/or Helen Martin of that property. The value of the property
5 exceeds \$1,500.

6 **COUNT 4: DELIBERATE HOMICIDE, a felony:**

7 On or about December 14, 2015, at 901 N. 2nd Street in Miles City, Custer
8 County, Montana, the Defendant committed the offense of COUNT 4: DELIBERATE
9 HOMICIDE, a felony, when the Defendant purposely or knowingly caused the death of Ed
10 Martin.

11 Captain Casey Prell of the Miles City Police Department knows the following
12 based on his own interaction during the investigation of this case, as well as his interactions
13 with other law enforcement officers from various law enforcement agencies involved in the
14 investigation, and his review of reports generated by various law enforcement officers.

15 On the 14th of December of 2015 at approximately 2330 hours, Central Dispatch
16 received a call from Glen Greer for a report of a possible hostage situation at his in-law's
17 house at 901 N. 2nd Street, in Miles City. Mr. Greer's in-laws are Ed and Helen Martin.
18 According to Glen, a man named Scott held them hostage, and Helen had escaped. Ed Martin
19 was unaccounted for.

20 Miles City Police Officers responded to the address, cleared the home, but were
21 unable to locate Mr. Martin. Officers Bigelow and Pavlicek left 901 N 2nd at this time, and
22 made contact with Helen Martin. Officer Stacey, Deputy Dan Baker and Officer Steve
23 Gaertner remained at 901 N 2nd.

24 Helen Martin advised Officer Bigelow that she and her husband had arrived at
25 their home earlier that day to find a note on the door from a man stating he had been to their
26 home twice and would try again later, the note was signed, "Scott". Helen Martin stated that
27 "Scott" arrived at the home to look at buying a truck, a 2001 Chevrolet 1500, from her
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1 husband. "Scott" and Mr. Martin exited the residence so Mr. Martin could show "Scott" a
2 fifth wheel. A short time later "Scott" returned to the residence with a large cut on the bridge
3 of his nose and asked Helen Martin for a band-aid. She provided the band-aid. "Scott" then
4 assaulted Helen Martin then tied her up and put her in the basement of their home. "Scott"
5 informed Helen Martin that her husband was tied up inside the 5th wheel camper. Officer
6 Bigelow relayed this information to Officer Gaertner who was still at 901 N 2nd. Officers
7 breached the 5th wheel camper and located Mr. Martin inside the camper, deceased.

8 On the morning of December 15th, Captain Casey Prell located the 2001
9 Chevrolet 1500 parked near on the 800 block of Palmer. The pickup was seized and
10 impounded.

11 Captain Casey Prell and Sgt. Kord Merical interviewed 84-year-old Helen
12 Martin on December 15, 2015, at approximately 2042 hours. Helen stated that Ed Martin had
13 identified Scott as a former renter. Helen stated that Scott came to her home to look at a
14 pickup that Ed had for sale. After test driving the vehicle, Scott expressed interest in a 5th
15 wheel trailer that Ed Martin had for sale. Scott and Ed went out to look at the trailer with
16 flashlights. Scott came back a few minutes later with a large gash to the bridge of his nose.
17 Scott told Helen that he cut his nose on the trailer. Helen gave Scott a band-aid and asked
18 Scott where Ed was. Helen stated that Scott then assaulted her, tied her arms behind her back,
19 and drug her to the basement. He told her that he would cut her throat if she screamed.

20 Helen Martin stated she could not remember how long she was in the basement.
21 She eventually untied herself and escaped. Once out of her home, she got into her van and
22 drove to her daughter's house. She told Captain Prell that the man who hurt her is Scott
23 Price.

24 A search of the residence at 901 N 2nd revealed that the contents of a safe from
25 901 N 2nd were missing. In addition, documents were located that indicated that Scott Price
26 was indeed a rental tenant of Ed Martin's.

27 On December 17, 2015, Captain Casey Prell, Miles City Police Department,
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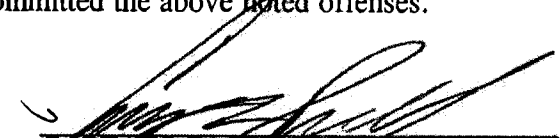
1 interviewed Jacob Idland. Mr. Idland confirmed that Scott Price had been staying at his house
2 and that Mr. Martin had previously been a landlord to Price. At approximately 6:30 p.m. on
3 December 14, 2015, Price left his residence to test drive a vehicle. When Price returned to
4 Idland's house, he had a bandaid covering an injury to his nose. Idland lives at 121 N 8th
5 Street, which is approximately one block away from where the 2001 Chevrolet 1500 was
6 located by Captain Prell. Idland stated that Price was nervous and uneasy when he returned.
7 When Price observed police cars nearby Idland's residence, Price became extremely nervous
8 and decided to leave. Price packed his belongings and was picked up by an associate. Price
9 disposed of the garbage from his room prior to leaving Idland's residence.

10 Captain Prell knows that the Defendant was interviewed by law enforcement
11 agents in Coeur d'Alene, Idaho, on December 23, 2015. Based upon his review of
12 correspondence from Anthony Poppler, agent with Montana Division of Criminal Investigation
13 who was present during the interview, Captain Prell knows the following:

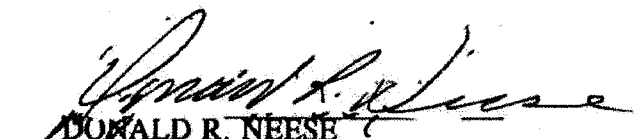
14 The Defendant stated to detectives that he had went to the Martin residence on
15 December 14, 2015, to purchase a 2001 Chevrolet pickup. He stated that he and Ed Martin
16 went into a 5th wheel trailer and got into a disagreement over the price of the pickup. The
17 Defendant stated that Ed Martin hit him on the nose with a Maglite. The Defendant then took
18 a knife that was inside the 5th wheel trailer and stabbed Ed Martin in the neck, killing him.
19 The Defendant then went into the residence and made contact with Helen Martin. The
20 Defendant washed his face in the sink due to the injury to his nose. When returning from the
21 bathroom, the Defendant saw a safe on the kitchen table containing approximately \$4,000
22 cash. The Defendant stated that he grabbed Helen Martin, tied her hands behind her back,
23 placed her in the basement, and closed the door. The Defendant stated he took the \$4,000
24 cash from the safe, two cellular phones belonging to the Martins, and left the Martin residence
25 in the 2001 Chevrolet pickup. The Defendant drove the pickup and parked it near a residence
26 he was staying at. He placed his clothing in the washing machine, took a shower, and
27 changed clothes. He gathered his belongings and went to a local motel where he awaited
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1 being picked up by Sarah McKnight. The Defendant admitted to throwing the knife used to
2 stab Ed Martin into the Yellowstone River.

3 The Undersigned believes that these facts constitute probable cause that the
4 Defendant, Scott Austin Price, committed the above noted offenses.

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6 
7 CAPTAIN CASEY PRELL
8 MILES CITY POLICE DEPARTMENT

9 SUBSCRIBED AND SWORN TO BEFORE ME this 24 day of December, 2015.

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11 
12 DONALD R. NEESE
13 JUSTICE OF THE PEACE

