



Scott Twito, Yellowstone
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December 4, 2024

RE: Issue related to an incident from May 1, 2023, involving 3 BPD officers

Dear Defense Counsel,

This letter is to inform you that in late October 2024, information came to the attention of the Yellowstone County Attorney's Office (YCAO) that may affect the credibility of three officers within the Billings Police Department (BPD).

Because one or more of these three officers were witnesses in a case involving your client, and because of our constitutional obligations, this office is making you aware of this development so that you may make informed decisions going forward.

On May 1, 2023, three BPD officers, BISTLINE, LANE, and BUSTA were involved in a roadside stop. Significant portions of this stop and its interactions were recorded by BPD's Watchguard camera system. During this stop, officers attempted to obtain consent to search a vehicle in question. While verbal consent appeared to have been obtained, during the stop a discussion among these officers appeared to focus on obtaining written consent of the driver through a deceptive manner. During this discussion two of the three BPD officers removed and/or inactivated their body cameras. Because of these circumstances, it is possible that in this case, the written consent was obtained by deceptive means.

Several cases directly implicated by these actions have been dismissed by the YCAO. Since discovery of this May 1, 2023, incident, YCAO has attempted to identify and perform case reviews on all cases that BPD has presented to YCAO involving one or more of these officers. Your case has been identified as one of those cases. Please review the attachment to see which of your cases have possibly been impacted.

Please contact the assigned prosecutor in your case to discuss case resolution considering this information.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Twito".

Scott Twito, Yellowstone County Attorney