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SEP 04 2012

Justice Court

IN THE JUSTICE COURT OF THE STATE OF MONTANA,  
IN AND FOR THE COUNTY OF MISSOULA  
BEFORE John E. Odlin, JUSTICE OF THE PEACE

STATE OF MONTANA,  
Plaintiff,  
-vs-  
JUSTUS ARAM MILLER,  
Defendant.

Cause No. CR-2012-10018-C1  
COMPLAINT

PATRICIA C. BOWER, Deputy Missoula County Attorney, being duly sworn, deposes and says that on or about the 2nd day of September, 2012, at Missoula County, the above-named Defendant committed the offense(s) of INDECENT EXPOSURE, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. §45-5-504(1)[1st], punishable by 6 months MCDP and/or a \$500 fine.

The facts constituting the offense(s) are:

On or about the 2nd day of September, 2012, the above-named Defendant committed the offense of indecent exposure by knowingly or purposely exposing his genitals to Christina Southern under circumstances in which the Defendant knew the conduct was likely to cause affront or alarm in order to abuse, humiliate, harass, or degrade another, to arouse or gratify the Defendant's own sexual response or desire and/or to arouse the sexual response or desire of any person.

DATED this 4th day of September, 2012.

  
PATRICIA C. BOWER  
Deputy County Attorney

Subscribed and sworn to before me this 4th day of September, 2012.

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JUSTICE OF THE PEACE

COMPLAINT 12-2039; MCSO Van Hoose

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Cause No. CR-2012-10018-C1

STATE OF MONTANA,

Plaintiff,

-vs-

JUSTUS ARAM MILLER,

Defendant.

AFFIDAVIT OF PROBABLE  
CAUSE

STATE OF MONTANA     )  
                                  : ss  
County of Missoula     )

PATRICIA C. BOWER, Deputy County Attorney of Missoula County,

Montana, being first duly sworn upon oath, deposes and says:

I have read the official law enforcement reports regarding the investigation of JUSTUS ARAM MILLER for allegedly committing the offense(s) set forth in the complaint and based upon the information contained in the reports, if true, believe probable cause exists to justify charging the above-named defendant as specified in the accompanying complaint.

This incident occurred within Missoula County. Deputy Garrett Van Hoose of the Missoula County Sheriff's Office conducted the investigation. His report is contained verbatim, in pertinent part, as follows:

On September 3, 2012, Deputy Prather (MCSO 466) and I (MCSO 412) were advised by Sergeant Petersen (MCSO 416) that a report of indecent exposure had occurred at the jail. We responded to the jail to investigate the alleged offense. The incident occurred on September 2, 2012 at 1426 hours.

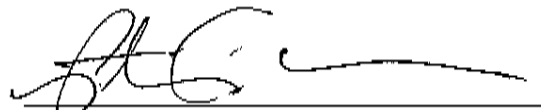
At the jail we watched the video from the time frame where the incident took place. There was video of the day room in, located in Pod 2D and inside the cell, located in 2D4L, that Justus Miller was in. In the video there was conversation taking place between Justus and Christina Southern. According to Christina, Justus asked her if she had any tattoos. Then she showed him the tattoo on her right shoulder. After that Justus called Christina over and showed her his genitals. On the video you could hear Justus asking Christina, "wanna see something special?" He also stated it was, "a very special package" and that it was "absolutely awesome." Then you see him raise up his shirt and hear him say, "it's my dick." The videos shows Christina walking around the day room in Pod 2D and Justus in his cell 2D4L. Christina talks with Justus through his cell door while she was getting exercise during her hour in the day room. After the indecent she notified detention officers and was placed back in cell early.

During the interview with Christina, she stated that Justus had shown her his "dick" and that she felt disgusted, humiliated and harassed by the incident. She also asked if that was something you wanted your daughter or wife to see. She seemed notably upset while recounting the incident.

During the interview with Justus, he stated that he lifted his shirt to show her his "abs" after she had shown him her tattoo. He indicated he did not understand why she had shown him the tattoo on her shoulder and that he felt it was inappropriate. When asked why he felt it was inappropriate, he stated because he didn't want to see what was under her clothes. When we reminded him that the incident was captured on video and that we could hear what he said, he continued to deny that he had exposed himself to her. We ended the interview at that point because it was obvious that Justus was not going to be truthful about the incident.

Justus is currently incarcerated for assault with a weapon and, based on the video and statements made by Christina, Justus was charged with indecent exposure.

A copy of the video has been requested from the jail and will need to be picked up when they have it ready. Also there were audio recordings made of the two interviews conducted at the jail and also an audio recording made while the video was playing on the computer screen (statements made by Justus in his cell). The report filed by Detention Officer Jensen (MCSO 565) is also included with this report. There is nothing further to add at this time.



PATRICIA C. BOWER  
Deputy Missoula County Attorney

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SUBSCRIBED AND SWORN TO before me this 4th day of September, 2012.

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JUSTICE OF THE PEACE