

1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,  
2 IN AND FOR THE COUNTY OF MISSOULA  
3 BEFORE Marie A Andersen, JUSTICE OF THE PEACE

4  
5 STATE OF MONTANA  
6 Plaintiff,  
7 -vs-  
8 JORDAN SCOTT BAHR  
Defendant,

Dept No. 1  
Cause No. CR-2016-154

COMPLAINT

9  
10 JENNIFER CLARK, Deputy County Attorney, deposes and says that on or about  
11 the 13th day of October, 2015, in Missoula County, the Defendant committed the offense  
12 of COUNT I: SEXUAL INTERCOURSE WITHOUT CONSENT, a Felony, in violation of  
13 Montana law, namely: Mont. Code Ann. 45-5-503, punishable by not less than 2-4 years or  
14 more than 100 years or life MSP and \$50,000 fine.  
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16 The facts constituting the offense are:

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18 COUNT I: On or about the 13th day of October, 2015, the above-named  
19 Defendant knowingly had sexual intercourse with Jane Doe without consent.

20 DATED this 10th day of February, 2016.

21   
22 JENNIFER CLARK  
23 Deputy County Attorney

24  
25 Subscribed and sworn to before me this 15 day of February, 2016.

26   
27 JUSTICE OF THE PEACE

28 COMPLAINT 16-337

CONNIE BRUECKNER, Missoula City Police Dept

1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,  
2 IN AND FOR THE COUNTY OF MISSOULA  
3 BEFORE Marie A Andersen, JUSTICE OF THE PEACE

4  
5 STATE OF MONTANA,  
6 Plaintiff,

Cause No. *CR-2016-154*

7 -vs-

**AFFIDAVIT OF PROBABLE CAUSE**

8 JORDAN SCOTT BAHR,  
9 Defendant.

10 STATE OF MONTANA )  
11 : ss  
12 County of Missoula )

13 JENNIFER CLARK, Deputy County Attorney, Montana, being first duly sworn upon  
14 oath, deposes and says:

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

20 On or about the 20<sup>th</sup> day of October, Jane Doe gave a statement to the Missoula  
21 Police Department. She stated on October 13, 2015, she was at a bar with a friend and  
22 some of her friend's friends, one of whom was Jordan Bahr. Doe had never met Bahr  
23 before that evening. Throughout the evening Doe had consumed two shots of vodka  
24 and either two or three 16-ounce pumpkin beers. At the end of the night, as Doe was  
25 riding her bike home. Bahr was also biking home and the two realized quickly that they  
26 were taking the same route so they decided to ride together. As they neared Bahr's  
27 home off of the bike path in Missoula County, Doe realized that she was intoxicated and  
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1 felt vulnerable as a female continuing on her own. She asked Bahr if she could go to  
2 his house so she could sleep on his couch for a couple of hours before continuing  
3 home.  
4

5 Doe and Bahr went to Bahr's house. Doe asked for water and Bahr gave Doe  
6 water. Doe went to the bathroom and when she came out, Bahr began to get in her  
7 personal space. She told him that he was a nice guy, but that she was not interested in  
8 him and reiterated her intention to just sleep on his couch. Bahr asked Doe to sleep in  
9 his bed and Doe again told Bahr she just wanted to sleep on the couch.  
10

11 Doe lay down on the couch and Bahr asked if he could lay with her. She stated  
12 that he could. Soon after she lay down, Bahr began touching Doe. Doe recalls Bahr  
13 licking her breasts and then he put his hands in her pants and began aggressively  
14 penetrated her vagina with his fingers. Doe froze. Doe was unable to move to the point  
15 that Bahr had to manipulate her limp body throughout the assault. At one point, Bahr  
16 penetrated Doe's anus with his tongue and then his fingers. He also penetrated her  
17 vagina with his penis. At one point, Bahr attempted to put Doe's hand on his genitals,  
18 however; she kept her hand in a fist, communicating to Bahr that she did not want to do  
19 that. He then tried to pry open her hand and was unsuccessful. At some point, Bahr  
20 attempted to kiss Doe on the mouth. Doe did not reciprocate the kiss and kept her  
21 mouth closed. When the assault was over, Doe put on her clothes, left Bahr's house  
22 and biked home.  
23  
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25 Missoula City Police interviewed Bahr. Bahr stated he was at the Silver Dollar  
26 Bar when he first met Doe. He confirmed that he and Doe biked to his home. He  
27 stated he asked her to come to his house. He stated when they got to his home, he  
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1 invited Doe to his bedroom. She told him no. He confirmed that she stated she just  
2 wanted to lie on the couch. Bahr stated he cuddled with Doe for a bit and stated he was  
3 not sure if this was okay because he got mixed reactions from Doe and did not know  
4 what she was thinking.  
5

6 Bahr stated he started to kiss Doe and that she seemed interested. He stated  
7 she never said, "No." He stated he put his "fingers in her privates. That's pretty much  
8 all I did." He clarified that he put his fingers in Doe's vagina. He initially denied putting  
9 his mouth on her body. He also denied penetrating her vagina with his penis. Bahr  
10 admitted that he did not know if Doe was interested in him. He stated he did not ask  
11 her. When asked how Doe responded when Bahr put his fingers in her vagina, Bahr  
12 stated Doe could have been tired and that his impression was that Doe was interested  
13 in having sexual contact with him because she came over to his house. He stated this  
14 several times throughout the interview.  
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17 Bahr stated that Doe was moving, but when asked how, he stated she was "just  
18 lying." When asked if Doe ever touched him, Bahr stated she did not. When asked if  
19 she ever put her arms around him or reached around him, he stated she did not. When  
20 asked if these things indicated Doe did not want to consent, Bahr stated, "It could be."  
21 When asked if that is how he interpreted her behavior in the moment, Bahr stated, "In a  
22 little sense, yeah." He stated Doe was giving "mixed signals."  
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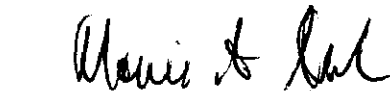
24 Bahr eventually admitted that he put his mouth on Doe's anus. He stated, "I just  
25 moved her." When asked why he had to move Doe, he stated, "I mean obviously she  
26 didn't on her own." He stated Doe did not say anything when he moved her. Bahr  
27 acknowledged that he based his actions on the fact that Doe had come to his house.  
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1 When asked if he tried to get Doe to touch his penis, Bahr stated "not really."  
2 When informed that Doe reported Bahr attempted to get her to touch his penis, Bahr  
3 responded, "I would say once. But then she said 'oh' and she put her hand away."  
4 Bahr admitted Doe's mouth was closed when he kissed, but stated his mouth was  
5 closed as well. When asked if he had put his penis in her vagina if the act would have  
6 been rape, Bahr responded, "Yes...because she said it wouldn't be okay." He stated  
7 Doe said, "Are you going to fuck me?" and he told her "No." He then stated that she  
8 didn't want "that" and I respected that. He stated it was this time when they stopped  
9 and Doe left the house.  
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12 At the end of the interview Bahr stated Doe told him "no" during the "middle part  
13 of fooling around," and that she was tired. He stated this happened after he penetrated  
14 her vagina with his fingers, but before he put his mouth to her anus, admitting when he  
15 did so he had to move her a little bit. Bahr admitted that he had taken off Doe's pants  
16 and underwear. At some point Bahr stated he did not try to penetrate Doe's vagina with  
17 his penis and later stated that he tried to, but was unable. He then stated that they fell  
18 asleep, contradicting his earlier statement, and she left when they woke up.  
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21   
22 JENNIFER CLARK  
23 Deputy County Attorney


24 SUBSCRIBED AND SWORN TO before me this 15 day of February, 2016.

25   
26 JUSTICE OF THE PEACE  
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1  
2 ORDER  
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4 Upon reading the foregoing Affidavit, the Court finds that there is probable cause to  
5 believe the above-named Defendant committed the crimes charged.

6 DATED this 15 day of Feb, 2016 at 2:43 a.m./p.m  
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9 JUSTICE OF THE PEACE  
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