

1 BRIAN LOWNEY
2 Deputy County Attorney
3 KIRSTEN H. PABST
4 Missoula County Attorney
5 Missoula County Courthouse
6 Missoula, Montana 59802
7 (406) 258-4737
8 ATTORNEYS FOR PLAINTIFF

9
10 IN THE JUSTICE COURT OF THE STATE OF MONTANA
11 IN AND FOR THE COUNTY OF MISSOULA
12 BEFORE, ^{Marie A Andersen} JUSTICE OF THE PEACE

13 STATE OF MONTANA,

14 Plaintiff,

15 -VS-

16 JONATHAN DAVIS LAMPHERE,

17 Defendant,

Department No. 1
Cause No. CR-206-769

COMPLAINT

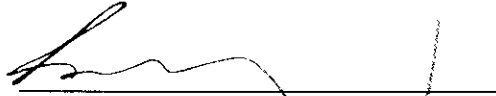
18 BRIAN LOWNEY, Deputy County Attorney, deposes and says that on or about the
19 24th day of July, 2015, in Missoula County, the Defendant committed the offense of
20 COUNT I: ASSAULT ON A MINOR, a Felony, in violation of Montana law, namely: Mont.
21 Code Ann. 45-5-212, punishable by 5 years MSP and/or \$50,000 fine.

22 The facts constituting the offense are:

23 COUNT I: On or about the 24th day of July, 2015, the above-named Defendant
24 purposely or knowingly caused bodily injury to Jane Doe, and/or purposely or knowingly
25 made physical contact of an insulting or provoking nature with Jane Doe, and at the
26 time of the offense, the victim was under 14 years of age and the Defendant was 18
27 years of age or older.

28 DATED this 8th day of August, 2016.

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BRIAN LOWNEY
Deputy County Attorney

Subscribed and sworn to before me this 12 day of August, 2016.


JUSTICE OF THE PEACE

COMPLAINT 16-1447

DAVID LAWRENCE WALROD, Missoula County Sheriff's Office
THAISON MANRAKSA, Missoula County Sheriff's Office

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14 Plaintiff,

15 -VS-

16 JONATHAN DAVIS LAMPHERE,

17 Defendant,

Department No. 1

Cause No.

CR-2016-769

AFFIDAVIT OF PROBABLE CAUSE

18 STATE OF MONTANA)
19 : ss
20 County of Missoula)

21 BRIAN LOWNEY, Deputy County Attorney, Montana, being first duly sworn upon
22 oath, deposes and says:

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

28 On November 24, 2015, Jane Doe, age 9, reported to staff at her school that her
uncle, the Defendant, had assaulted her during the summer of 2015. Jane Doe

1 indicated that the assault occurred during a time she was visiting her father and step-
2 mother, who live on the 6000 block of US Highway 93, in Missoula County, MT. The
3 Defendant lives with his parents (Jane Doe's step-grandparents) on the same block as
4 Jane Doe's father and step-mother. Jane Doe's step-mother is the Defendant's sister.
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6 Jane Doe was interviewed at the Flathead County Children's Advocacy Center.
7 Jane Doe indicated that the assault occurred while the Defendant was babysitting Jane
8 Doe and her two sisters in the Defendant's home during the summer of 2015. Jane Doe
9 indicated that the rest of the adults were out running errands, so the Defendant was the
10 only caretaker for the children.
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12 Jane Doe indicated that during this time, the Defendant went to his room and
13 came out with a rope, which Jane Doe described as a "fishing rope". Jane Doe
14 indicated that the Defendant and her older sister, Jenny Doe (age 13 at the time), held
15 Jane Doe down and then tied her up, binding her hands to her ankles with the rope.
16 Jane Doe described the process of the Defendant tying her up as "kinda painful"
17 because the Defendant "tied the ropes really hard". The Defendant then carried Jane
18 Doe into his bedroom, leaving Jane Doe's two sisters in the living room.
19

20 At this point, Jane Doe indicated that the Defendant blindfolded her, while she
21 was still tied up. Jane Doe indicated she heard her younger sister, age 4, come into the
22 room and the Defendant told her younger sister to get out. The Defendant then told
23 Jane Doe to stick out her tongue. Jane Doe refused, but the Defendant opened her
24 mouth with his hands and pulled out her tongue. The Defendant threatened to "duct
25 tape" Jane Doe's mouth if she did not keep her tongue extended, so Jane Doe
26 complied. The Defendant then began to put "all these gross things on [Jane Doe's]
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1 tongue". Jane Doe indicated the Defendant told her at the time that these things were
2 candle wax and baby soap. Jane Doe indicated that the Defendant then put his finger
3 in her mouth far enough that she "coughed". Jane Doe indicated that when the
4 Defendant put his finger in her mouth, it "[felt] like someone was grabbing a knife and
5 shoving it down my throat."
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7 The Defendant then cut the ropes off of Jane Doe. Jane Doe described that she
8 had a "red mark" where she had been bound by the ropes. Both Jane Doe and the
9 Defendant returned to the living room. The Defendant continually asked Jane Doe
10 "what do you think I did?" after they returned to the living room, and told her several
11 times that he would never hurt a child.
12

13 Jane Doe indicated she reported the incident to her father, step-mother and step-
14 grandparents, who did not believe her. Jane Doe indicated she later told Jenny Doe
15 about what the Defendant had done to her in the bedroom, and Jenny Doe told Jane
16 Doe that she believed the Defendant was "trying to test [to see] if [Jane Doe] would
17 suck the bad part."
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19 Missoula County Sheriff's Office detectives spoke with several involved parties,
20 and determined the assault likely took place on July 24, 2015. Detectives spoke with
21 the Defendant, who admitted that he had used "fishing rope" to tie up Jane Doe with
22 Jenny Doe's help. The Defendant said he did so because Jane Doe was acting up and
23 "being mean" to her younger sister. The Defendant indicated he made Jane Doe put
24 candle wax in her mouth because she was "cussing" at him. The Defendant denied
25 blindfolding Jane Doe or taking her into his bedroom alone. However, the Defendant
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1 indicated he "accepted that it was wrong" for him to tie up Jane Doe and put candle wax
2 in her mouth.

3
4 Detectives spoke with Jenny Doe. She indicated that several weeks after the
5 assault, she was in the Defendant's home again, and the assault came up in
6 conversation. The Defendant denied that to Jenny Doe that he had done anything to
7 Jane Doe while they were in the bedroom together. The Defendant then stated to
8 Jenny Doe "I wouldn't put my thingy down [Jane Doe's] throat because it's not right
9 enough. Yours is."

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BRIAN LOWNEY
Deputy County Attorney


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14 SUBSCRIBED AND SWORN TO before me this 12 day of August, 2016.

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17 JUSTICE OF THE PEACE

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19 ORDER

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21 Upon reading the foregoing Affidavit, the Court finds that there is probable cause to
22 believe the above-named Defendant committed the crimes charged.

23 DATED this 12 day of Aug, 2016 at 8:51 a.m./p.m.

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26 JUSTICE OF THE PEACE
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