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OCT 20 2016

COPY Justice Court

BRITTANY SANTORNO
Deputy County Attorney
KIRSTEN H. PABST
Missoula County Attorney
Missoula County Courthouse
Missoula, Montana 59802
(406) 258-4737
ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF THE STATE OF MONTANA
IN AND FOR THE COUNTY OF MISSOULA
BEFORE, Landee N. Holloway, JUSTICE OF THE PEACE

STATE OF MONTANA,

Plaintiff,

-VS-

WENDY ELIZABETH CHAUSSEE,

Defendant,

Department No. 2

Cause No. CR-2016-1043

COMPLAINT

BRITTANY SANTORNO, Deputy County Attorney, deposes and says that on or about the 19th day of October, 2016, in Missoula County, the Defendant committed the offenses of COUNT I: CHILD CRIMINAL ENDANGERMENT, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-628(1)(e), punishable by 10 years MSP and/or \$50,000 fine; COUNT II: NEGLIGENT VEHICULAR ASSAULT - RESULTING IN BODILY INJURY, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-5-205(1)[1], punishable by 1 year MCDF and/or \$1,000 fine; COUNT II: NEGLIGENT VEHICULAR ASSAULT - RESULTING IN BODILY INJURY, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-5-205(1)[1], punishable by 1 year MCDF and/or \$1,000 fine; COUNT III: RECKLESS DRIVING, a Misdemeanor, in violation of

1 Montana law, namely: Mont. Code Ann. 61-8-301(1)(a), punishable by 90 days MCDF
2 and/or \$25-\$300 fine.

3 The facts constituting the offense are:

4
5 COUNT I: On or about the 19th day of October, 2016, the above-named
6 Defendant committed the offense of criminal child endangerment by purposely,
7 knowingly, or negligently causing substantial risk of death or serious bodily injury to a
8 child under 14 years of age by operating a motor vehicle under the influence of alcohol
9 or dangerous drugs in violation of 61-8-401 with a child in the vehicle.
10

11 COUNT II: On or about the 19th day of October, 2016, the above-named
12 Defendant negligently operated a vehicle while under the influence of alcohol and/or
13 drugs and caused bodily injury to S.J. by striking him with her vehicle.

14
15 COUNT III: On or about the 19th day of October, 2016, the above-named
16 Defendant operated a vehicle, in Missoula County, in willful or wanton disregard for the
17 safety of persons or property, to wit: failing to yield the right of way to a pedestrian
18 and/or damaging his property.

19 DATED this 20th day of October, 2016.

20
21 

22 BRITTANY SANTORNO
23 Deputy County Attorney

24 Subscribed and sworn to before me this ____ day of October, 2016.

25 _____
26 JUSTICE OF THE PEACE

27 COMPLAINT 16-2508

28 CRYSTAL CROCKER, Missoula City Police Dept
JENNA VOLINKATY, Missoula City Police Dept

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11 IN AND FOR THE COUNTY OF MISSOULA
12 BEFORE, Landee N. Holloway, JUSTICE OF THE PEACE

13 STATE OF MONTANA,

14 Plaintiff,

15 -vs-

16 WENDY ELIZABETH CHAUSSEE,

17 Defendant,

Department No. 2
Cause No. CR-2016-1043

AFFIDAVIT OF PROBABLE CAUSE

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

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

23 I have read the official law enforcement reports regarding the investigation of
24 WENDY ELIZABETH CHAUSSEE 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 or about the 19th day of October, 2016, Missoula City Officers Jenna
Volinkaty and Crystal Crocker responded to a report of a crash involving a vehicle and a

1 pedestrian. Upon arrival, Officer Crocker observed a young child in the roadway being
2 evaluated by fire and medical personnel. Officer Crocker spoke briefly with the driver,
3 Wendy Chaussee, the above named Defendant to ask what had occurred with the
4 pedestrian victim. The Defendant stated she had been driving with her five year old
5 granddaughter and as she approached the intersection of 23rd Ave and 55th St. and
6 stated she saw a child run into the road after a skateboard, but was unable to stop
7 before striking him with her vehicle. She also made admissions to drinking three Miller
8 Lights a few hours prior.
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11 During her investigation, Officer Crocker collected S.J.'s shoe, which was found
12 under the Defendant's bumper, along with his skateboard and a few towels, which were
13 both bloodstained. Upon her arrival at the hospital to speak with S.J., Officer Crocker
14 was informed S.J. had a cut on his head requiring stitches, some road rash and an
15 injured thumb, at the time it was not known if he had any internal injuries. In speaking
16 with S.J., he stated he was chasing after his skateboard and was hit by a vehicle and
17 flew up into the air.
18

19 Upon her arrival, Officer Volinkaty made contact with the driver, Wendy
20 Chaussee and noted a strong odor of an alcoholic beverage was emanating from her
21 breath and her eyes were bloodshot and glossy. At this time, Officer Volinkaty
22 requested the Defendant perform the Standardized Field Sobriety Tests and reported
23 observing 6/6 clues of impairment on the HGN test, 5/8 on the walk and turn and 3/4 of
24 the one leg stand. Following the SFST's, Officer Volinkaty read the Defendant the PAST
25 advisory and the Defendant provided a preliminary breath sample of .185. Officer
26 Volinkaty then placed the Defendant under arrest and read her the Missoula Police
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1 Department Implied Consent Advisory and the Defendant agreed to provide a blood
2 sample.

3
4 The Defendant was transported to St. Patrick Hospital for a legal blood draw and
5 was then taken to the jail and remanded to the Missoula County Detention staff. The
6 Defendant has four prior convictions for DUI offenses: 4/17/2001; 10/05/2011;
7 10/02/2012; and 10/02/2012.

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11 BRITTANY SANTORNO
12 Deputy County Attorney

13 SUBSCRIBED AND SWORN TO before me this ____ day of October, 2016.

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16 JUSTICE OF THE PEACE
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OCT 20 2016

Justice Court

1 KARLA PAINTER
2 Deputy County Attorney
3 KIRSTEN H. PABST
4 Missoula County Attorney
5 Missoula County Courthouse
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9 IN THE JUSTICE COURT OF THE STATE OF MONTANA
10 IN AND FOR THE COUNTY OF MISSOULA
11 BEFORE, Landee N. Holloway, JUSTICE OF THE PEACE

12 STATE OF MONTANA,

13 Plaintiff,

14 -VS-

15 ALEX JAMES MICHAEL WACKER,

16 Defendant,

Department No. 2

Cause No. CR-2016-1044

COMPLAINT

17 KARLA PAINTER, Deputy County Attorney, deposes and says that on or about the
18 17th day of October, 2016, in Missoula County, the Defendant committed the offenses of
19 COUNT I: THEFT, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-6-
20 301 (1) [4], punishable by 10 years MSP and/or \$50,000 fine; COUNT II: DECEPTIVE
21 PRACTICES, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-6-317[2],
22 punishable by 10 years MSP and/or \$50,000 fine; COUNT III: THEFT, a Misdemeanor, in
23 violation of Montana law, namely: Mont. Code Ann. 45-6-301(3), punishable 6 months
24 MCDF and/or \$1,500 fine; COUNT IV: THEFT - 1ST OFFENSE, a Misdemeanor, in
25 violation of Montana law, namely: Mont. Code Ann. 45-6-301(1)[1st], punishable by 6
26 months MCDF and/or \$1,500 fine; COUNT V: CRIMINAL TRESPASS TO VEHICLES, a
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1 Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-6-202(1),
2 punishable by 6 months MCDF and/or \$500 fine.

3 The facts constituting the offense are:

4
5 COUNT I: On or about the 17th day of October, 2016, the above-named
6 Defendant purposely or knowingly obtained or exerted unauthorized control over a
7 Chevrolet Suburban owned by Haleena Hertz with the purpose of depriving the owner of
8 the property. The value of the property exceeds \$1,500.00.

9
10 COUNT II: On or about the 17th day of October, 2016, the above-named
11 Defendant purposely or knowingly used a credit card that was issued to another, Sam
12 Gardner, without the other's consent. The deceptive practices were part of a common
13 scheme.

14
15 COUNT III: On or about the 17th day of October, 2016, the above-named
16 Defendant purposely or knowingly obtained control property stolen from Jackson
17 Construction knowing the property was stolen and used the property in a manner that
18 deprived the owner of the property.

19
20 COUNT IV: On or about the 17th day of October, 2016, the above-named
21 Defendant purposely or knowingly obtained or exerted unauthorized control over car
22 seats, glasses, clothing, an Iphone and other various items owned by John Kneedler,
23 Haleena Hertz, and Sam Gardner, and used, concealed, or abandoned the property
24 knowing that the use, concealment or abandonment probably would deprive the owner
25 of the property.
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1 COUNT V: On or about the 17th day of October, 2016, the above-named
2 Defendant committed the offense of criminal trespass to vehicles when he purposely or
3 knowingly and without authority entered a truck belonging to John Kneedler.
4

5 DATED this 20th day of October, 2016.

6 

7 KARLA PAINTER
8 Deputy County Attorney

9 Subscribed and sworn to before me this 20th day of October, 2016.

10 
11 JUSTICE OF THE PEACE

12 COMPLAINT 16-2510

13 ANDY ROY, Missoula City Police Dept
14 CHRIS SHERMER, Missoula City Police Dept
15 RICO SUAZO, Missoula City Police Dept
16 RICO SUAZO, Missoula City Police Dept
17 BEN SLATER, Missoula City Police Dept
18 ETHAN SMITH, Missoula City Police Dept
19 NATHAN GRIESSE, Missoula City Police Dept
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KARLA PAINTER
Deputy County Attorney
KIRSTEN H. PABST
Missoula County Attorney
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ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF THE STATE OF MONTANA
IN AND FOR THE COUNTY OF MISSOULA
BEFORE, Landee N. Holloway, JUSTICE OF THE PEACE

STATE OF MONTANA,

Plaintiff,

-VS-

ALEX JAMES MICHAEL WACKER,

Defendant,

Department No. 2
Cause No. CR-2016-1044

AFFIDAVIT OF PROBABLE CAUSE

STATE OF MONTANA)
 : ss
County of Missoula)

KARLA PAINTER, Deputy County Attorney, Montana, being first duly sworn upon
oath, deposes and says:

I have read the official law enforcement reports regarding the investigation of ALEX
JAMES MICHAEL WACKER 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.

On or about October 17, 2016, John Kneedler awoke shortly after 6 a.m. and
discovered someone rummaging in the cab of his truck located on West Broadway

1 Street. Kneedler confronted the man and saw the suspect was wearing Kneedler's
2 Cabela's camouflaged hoodie. When discovered, the male ran eastbound. Shortly
3 after the incident, Kneedler saw whom he believed to be the same person enter the
4 Magic Diamond Casino. A casino attendant identified the man as Alex Wacker.
5 Kneedler later reported the incident to law enforcement.
6

7 At approximately 6 p.m. that same day, Halenna Hertz reported her green 1996
8 Chevrolet Suburban had been stolen from a parking lot across West Front Street
9 sometime during the day while she was working.
10

11 On October 18, 2016, law enforcement officers responded to the Holiday Inn
12 Parkside to meet with Jackson Construction employee Sam Gardner. Gardner stated
13 that at approximately 4 p.m. on October 17, he went to his truck and realized someone
14 had entered his vehicle and stolen his wallet, Iphone 6, and a set of construction keys.
15 Gardner's wallet contained 3 credit cards and 2 debit cards. The keys were to the locks
16 securing an on-site enclosed trailer. Gardner reported that when he arrived to work on
17 the 18th, he discovered the locks on the trailer were gone and that several tools were
18 missing including a chop saw, a laser, nail guns, hand tools, roto hammers and a
19 ratchet set. Gardner further indicated his credit card had been used at McDonalds and
20 Noons, and had attempted to be used at Specticca Optical on Higgins Street.
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23 The owner of Specticca Optical, Jacob Szczukowski, advised law enforcement
24 that a white adult male had attempted to use a card belonging to Jackson Construction
25 shortly before 5 p.m. on October 17. Szczukowski said the man was approximately
26 5'8", 160 pounds, had tattoos and was carrying 2 bags of groceries, possibly form
27 Wordens. Szczukowsky said that when the man attempted to buy a \$300 pair of
28

1 glasses, he requested some form of identification for the card. Szczukowski stated the
2 man replied that he was in the witness protection program and would have to go home
3 and retrieve it. Szczukowsky kept the Jackson Construction card and provided it to law
4 enforcement. He noted that as the suspect was leaving, he grabbed other cards form
5 his pants pocket.
6

7 On October 19, 2016, Rico Suazo of the Missoula Police Department was
8 patrolling near the Magic Diamond Casino at 1200 West Broadway. Shortly before 2
9 a.m. he noticed a green Chevrolet Suburban in the business's parking lot. He ran a
10 registration check on the vehicle and discovered it was stolen. He approached the
11 occupants and identified the driver as Alex Wacker. Officer Suazo arrested Wacker for
12 theft. Upon searching Wacker incident to arrest, he located two credit cards and one
13 debit card belonging to Sam Gardner. At the jail, Wacker stated he purchased the
14 vehicle "almost three days ago" from a "dude named Jeremy." Wacker further indicated
15 he was under the influence of methamphetamine and heroin at the time.
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18 Law enforcement officers contacted Hertz and she arrived on scene to retrieve
19 her vehicle. Once inside, she noted the following items were missing: two tennis shoes,
20 two car seats, seven blankets, sunglasses, prescription glasses, and the vehicle's
21 registration and insurance paperwork. Hertz also identified several items that did not
22 belong to her which were seized as evidence including an Xbox 360, a Liberty Safe, and
23 iPhone 6, syringes, a Redcloud backpack, a socket wrench set, and a bag containing
24 credit cards, insurance cards, an envelope, a cigarette case, and a fit bit.
25
26

27 Detective Ben Slater contacted Sam Gardner who described a socket wrench set
28 stolen from the construction property and provided the passcode for the missing Iphone.

1 Detective Slater viewed the evidence obtained from the Suburban and noted the socket
2 set matched Gardner's description and that the passcode Gardner provided allowed him
3 to access the phone.
4

5 Detective Slater contacted Hertz and obtained specific details about her stolen
6 vehicle and entered them into Kelly Blue Book. The value of her vehicle was estimated
7 to be between \$2,290 (excellent condition) and \$1,779 (fair condition).
8

9 Detective Slater interviewed Wacker at the jail. Wacker initially stated he bought
10 the Suburban for \$300 from "Jeremy" 3 days ago in the Rattlesnake. Wacker claimed
11 the credit cards and tools were already in the vehicle when he purchased it, but
12 admitted he used one of the cards in a store off Broadway to buy cigarettes and a drink.
13 Wacker also acknowledged he attempted to use one of the cards at a sunglass shop
14 downtown and that the shop employee kept the card. When questioned further about
15 the Suburban, Wacker said he took the vehicle because it had keys in it. Wacker
16 explained he discarded the items in the vehicle, including blankets and 2 car seats, in a
17 random alley.
18

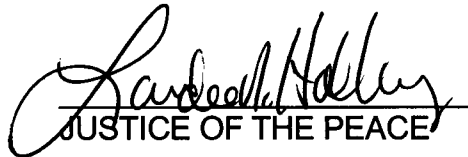
19 When Detective Slater inquired about what happened near Magic Diamond
20 Casino, Wacker ultimately admitted he "broke into" the truck and that he took a coat that
21 he lost while running.
22

23 As to the truck at Holiday Inn, Wacker said he took the phone and cards and then
24 told a man who goes by "Crispy" about the truck and the construction site. Wacker
25 stated Crispy brought him the tools and they went to Albertsons where Crispy fled and
26 Wacker kept the tools. Wacker said he and another "dude" then took the tools to 1st
27
28

1 Interstate Pawn where they sold some of them. Wacker stated he then sold the rest of
2 the tools to the "dude" but could not remember his name.

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5 KARLA PAINTER
6 Deputy County Attorney

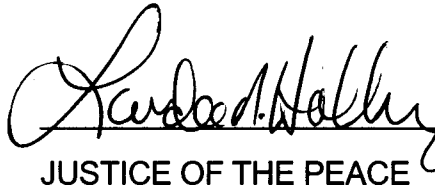
7 SUBSCRIBED AND SWORN TO before me this 30th day of October, 2016.

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9 JUSTICE OF THE PEACE
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ORDER

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

DATED this 20th day of October, 2016 at 1:35 a.m./6.m


JUSTICE OF THE PEACE