

1 MAC BLOOM
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 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 RAND TRUE HEATH,
16 Defendant,

17 Department No. ² CR-2017-358
18 Cause No.

19 **COMPLAINT**

20 MAC BLOOM, Deputy County Attorney, deposes and says that on or about the 3rd
21 day of April, 2017, in Missoula County, the Defendant committed the offenses of COUNT I:
22 CRIMINAL ENDANGERMENT, a Felony, in violation of Montana law, namely: Mont. Code
23 Ann. 45-5-207, punishable by 10 years MSP and/or \$50,000 fine; COUNT II: DRIVING
24 UNDER THE INFLUENCE OF A DANGEROUS DRUG (NARCOTIC, ETC.) - FIRST
25 OFFENSE, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 61-8-
26 401(1)(b)[1st], punishable by not less than 24 hours or more than 6 months MCDF and
27 \$600-\$1,000 fine; COUNT III: RECKLESS DRIVING, a Misdemeanor, in violation of
28 Montana law, namely: Mont. Code Ann. 61-8-301(1)(a), punishable by 90 days MCDF
and/or \$25-\$300 fine; COUNT IV: FLEEING FROM OR ELUDING A PEACE OFFICER, a
Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 61-8-316(1) and

1 (2)(a), punishable by 1 year MCDF and/or \$2,000 fine; COUNT V: FAILURE TO CARRY
2 PROOF OF LIABILITY INSURANCE - 1ST OFFENSE, a Misdemeanor, in violation of
3 Montana law, namely: Mont. Code Ann. 61-6-302(2)[1st], punishable by 10 days MCJ
4 and/or \$250-\$500 fine; COUNT VI: DRIVING WITHOUT A VALID DRIVERS LICENSE, a
5 Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 61-5-102[1st],
6 punishable by 6 months MCDF and/or \$500 fine; COUNT VII: OPERATE MOTOR
7 VEHICLE WITH DEFECTIVE OR SHATTERED WINDSHIELD, a , in violation of Montana
8 law, namely: Mont. Code Ann. 61-9-405(2)(b), punishable by \$10 to \$100 fine; COUNT
9 VIII: CRIMINAL POSSESSION OF DRUG PARAPHERNALIA, a Misdemeanor, in
10 violation of Montana law, namely: Mont. Code Ann. 45-10-103, punishable by 6 months
11 MCDF and/or \$500 fine.
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14 The facts constituting the offense are:

15
16 COUNT I: On or about the 3rd day of April, 2017, the above-named Defendant
17 knowingly engaged in conduct that created a substantial risk of death or serious bodily
18 injury to other motorists and/or the passengers in his vehicle when he fled from law
19 enforcement at a high rate of speed, nearly collided head on with another vehicle, and
20 crashed into a parked vehicle all after using methamphetamine.
21

22 COUNT II: On or about the 3rd day of April, 2017, the above-named Defendant
23 committed the offense of driving or being in actual physical control of a vehicle, a Chevy
24 Cavalier within this state, while under the influence of a dangerous drug,
25 methamphetamine.
26

27 COUNT III: On or about the 3rd day of April, 2017, the above-named Defendant
28 operated a vehicle, a Chevy Cavalier, in willful or wanton disregard for the safety of

1 persons or property when he led law enforcement on a high speed chase, refused to
2 obey traffic control devices, and crashed into a parked vehicle.

3
4 COUNT IV: On or about the 3rd day of April, 2017, the above-named Defendant,
5 while operating a motor vehicle, a Chevy Cavalier, fled from or eluded a uniformed
6 peace officer, Deputy Hartsell, who was operating a police vehicle in the lawful
7 performance of such officer's duties and who gave the Defendant a visual or audible
8 signal by hand, voice, emergency light or siren directing the Defendant to stop the motor
9 vehicle and such Defendant knowingly failed to obey such signal by increasing the
10 speed of the motor vehicle, continuing at a speed that was 10 or more mph above the
11 applicable speed limit, and/or otherwise fleeing from, eluding or attempting to flee from
12 or elude the peace officer.
13

14
15 COUNT V: On or about the 3rd day of April, 2017, the above-named Defendant
16 failed to carry proof of liability insurance while operating a motor vehicle, a Chevy
17 Cavalier, on a way of the state open to the public, Sherwood St., West Broadway,
18 and/or Toole Ave.

19
20 COUNT VI: On or about the 3rd day of April, 2017, the above-named Defendant
21 committed the offense of driving a motor vehicle, a Chevy Cavalier, upon a highway,
22 Sherwood St., West Broadway, and/or Toole Ave, without a valid driver's license.

23
24 COUNT VII: On or about the 3rd day of April, 2017, the above-named Defendant
25 operated a Chevy Cavalier with a shattered windshield that obstructed his clear vision of
26 the roadway.

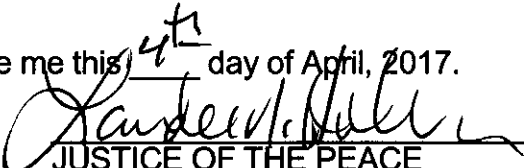
27
28 COUNT VIII: On or about the 3rd day of April, 2017, the above-named Defendant
knowingly used or possessed with intent to use drug paraphernalia to ingest, inhale, or

1 otherwise introduce into the human body a dangerous drug, to wit: a glass
2 methamphetamine pipe.
3

4
5 DATED this 4th day of April, 2017.

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7 _____
8 MAC BLOOM
9 Deputy County Attorney

10 Subscribed and sworn to before me this ^{4th} day of April, 2017.

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13 JUSTICE OF THE PEACE

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COMPLAINT 17-857

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APR 04 2017

Justice Court

1 MAC BLOOM
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 3 KIRSTEN H. PABST
 4 Missoula County Attorney
 5 Missoula County Courthouse
 6 Missoula, Montana 59802
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14 STATE OF MONTANA,
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 17 Plaintiff,
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 19 -vs-
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 21 RAND TRUE HEATH,
 22
 23 Defendant,

24 Department No. 2
 25 Cause No. CR-2017-358
 26
 27 AFFIDAVIT OF PROBABLE CAUSE

28 STATE OF MONTANA)
) : ss
 County of Missoula)

MAC BLOOM, 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 RAND
 TRUE HEATH 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 the 3rd day of April, 2017, Deputy Hartsell was travelling eastbound
 on West Broadway when he observed a 2002 Chevy Cavalier turning onto Toole Ave.
 without using a turn signal. He followed the Chevy and noticed that its windshield had

1 multiple cracks that spread across the entire surface area. Deputy Hartsell activated his
2 overhead lights and initiated a traffic stop. He made contact with the driver, Rand Heath
3 (Defendant), and Defendant's two passengers, Jaray Syring and Ronnie Cahoon.
4

5 Deputy Hartsell immediately noticed the odor of burnt methamphetamine coming
6 from the Chevy. He noted that all three of the occupants had red, bloodshot eyes and
7 dilated pupils. He also noticed that they were continually shifting about and unable to sit
8 still. He observed a locked case behind the driver's seat, which Syring identified as
9 belonging to him. Syring claimed it contained his diabetes medication, but was unable
10 to provide basic information regarding the type of medication or type of diabetes he
11 suffered from.
12

13 Believing that Defendant was potentially under the influence of
14 methamphetamine, Deputy Hartsell asked him to turn off his vehicle. Instead of
15 complying, Defendant put his car into drive and sped off. Deputy Hartsell pursued
16 Defendant in his patrol vehicle. During the chase, Defendant reached speeds in excess
17 of 60 MPH, ran multiple stop signs, and nearly struck another motorist head-on.
18 Eventually, Defendant turned onto Toole Ave. and collided with a parked car.
19 Defendant then exited his vehicle and fled on foot. At this time, Deputy Hartsell
20 observed Defendant throw what appeared to be a clear pipe onto the ground.
21
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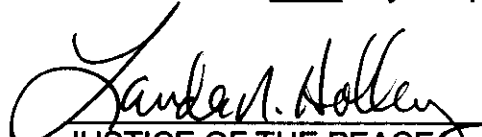
23 After running several hundred yards, Defendant surrendered. He told Deputy
24 Hartsell that he fled because he believed he had an active warrant for his arrest.
25 Defendant later admitted to using methamphetamine within one hour of the traffic stop.
26 He confirmed that his passengers were also under the influence of methamphetamine
27 and admitted to throwing a glass meth pipe while he was running on foot. He stated
28

1 that his passengers asked him to stop multiple times during the pursuit but he did not
2 listen. Defendant also admitted that Syring's "diabetes-medication" box contained
3 methamphetamine and syringes. Defendant was transported to St. Patrick Hospital for
4 a legal blood draw and then was taken to jail. Deputy Hartsell determined that
5 Defendant did not have liability insurance in effect and did not have a valid driver's
6 license.
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11 MAC BLOOM
12 Deputy County Attorney


13 SUBSCRIBED AND SWORN TO before me this 4th day of April, 2017.

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15 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 4th day of April, 2017 at 11:55 (a.m.) b.m.


JUSTICE OF THE PEACE

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