

JORDAN KILBY  
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 RECORD OF MISSOULA COUNTY,  
STATE OF MONTANA

STATE OF MONTANA, Plaintiff, -vs- JUSTIN PHILLIP ALAN BANCAL, Defendant.	Dept. Cause No.  <b>AFFIDAVIT OF PROBABLE CAUSE</b>
--	--

STATE OF MONTANA        )  
                                  : ss  
County of Missoula        )

JORDAN KILBY, Deputy County Attorney, Montana, being first duly sworn upon oath, deposes and says:

I have read the law enforcement reports regarding the investigation of Justin Phillip Alan Bancal for allegedly committing the offense of:

COUNT I: OBSTRUCTING A LOCAL HEALTH OFFICER IN PERFORAMCE OF DUTIES, a Misdemeanor, in violation of § 50-2-122(1),

MCA, punishable by up to 90 days imprisonment and/or no less than \$10 or more than \$500 fine.

I believe that the facts as set forth in the law enforcement reports, if true, constitute sufficient probable cause to justify the filing of the charges.

Those facts are as follows:

On April 10, 2020, Shannon Therriault, who is the Director of Environmental Health for the Missoula City-County Health Department, which is located within Missoula County, made a police report regarding potential harassment. She had been working with Justin Bancal, the above-named Defendant, in an attempt to get him to self-quarantine per the Governor's order. Defendant became upset with Therriault and told her he would not comply and stated he was going to tie up all of the phone lines at the health department as a matter of protest. Therriault stated Defendant called several times from one phone number. The Missoula City-County Health Department blocked that number. Defendant then began calling from a different number. He stated he had several numbers he could call from and would tie up their phones all day. Therriault stated this caused a great disturbance to the operation of her office by having the phones tied up with his calls. She stated his calls caused a "major disruption."

The Missoula City-County Health Department is tasked with taking “steps to limit contact between people in order to protect the public health from imminent threats...” See Mont. Code Ann. § 50-2-118(2). Additionally, the Missoula City-County Health Department is responsible for establishing and maintaining “quarantine and isolation measures as adopted by the local board of health.” See Mont. Code Ann. § 50-2-118(4). The Missoula City-County Health Department uses the phone lines in order to carry out this duty. By repeatedly calling the Missoula City-County Health Department, Defendant obstructed a local health officer, Shannon Therriault, in the performance of her duties.

DATED this 21st day of April, 2020.

/s/ Jordan Kilby  
JORDAN KILBY  
Deputy County Attorney

SUBSCRIBED AND SWORN TO before me, a Justice of the Peace, in and for the State of Montana, County of Missoula.