

MEGHANN PADDOCK
Deputy County Attorney
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ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF RECORD OF MISSOULA COUNTY,
STATE OF MONTANA

<p>STATE OF MONTANA, Plaintiff, -vs- JEFFREY DALE HARMON, Defendant.</p>	<p>Dept. Cause No. AFFIDAVIT OF PROBABLE CAUSE</p>
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STATE OF MONTANA)
 : ss
County of Missoula)

MEGHANN PADDOCK, Deputy County Attorney, Montana, being first
duly sworn upon oath, deposes and says:

I have read the law enforcement reports regarding the investigation of
JEFFREY DALE HARMON for allegedly committing the offenses of:

COUNT I: STRANGULATION OF PARTNER OR FAMILY MEMBER -
1ST OFFENSE, a felony, in violation of § 45-5-215[1st], MCA;

COUNT II: CRIMINAL POSSESSION OF DANGEROUS DRUGS (ALL OTHER DRUGS), a felony, in violation of § 45-9-102(3), MCA; and

COUNT III: PARTNER OR FAMILY MEMBER ASSAULT - 1ST OFFENSE, a misdemeanor, in violation of § 45-5-206[1st], MCA.

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 August 2, 2020 at about 5:17a.m., Missoula Police Officers were dispatched to a reported physical disturbance in the 2000 block of Sherwood lane. Defendant Jeffrey Harmon reported to 911 that his wife, "Jane Doe" had bit him, broke all of his liquor bottles, and hit him with a wooden board. Officer Harvey located a male, later identified as Defendant, walking away from the reported scene. The male changed direction when he was Officer Harvey's patrol car, and Officer Harvey then heard the lid of a large plastic trash can shutting. Officer Harvey walked towards where the male had gone and saw him standing behind a tree, apparently trying to hide. The male came out from behind the tree after Officer Harvey shined his flashlight on the male. The male was apparently highly intoxicated, had a strong odor of an alcoholic beverage coming from his person, and had red, watery eyes.

Defendant said he was not trying to get his wife in trouble, but again said she had bit him. Defendant could not explain how it happened. Defendant had a red mark inside his right arm. Defendant denied having been hit by anything. Defendant said he should not have called the police and did so out of anger, and that everything was ok. Defendant admitted that he had consumed “a few beers” and that Doe does not like when he drinks. Defendant said Doe broke all of his bottles of alcohol, so he called police. Defendant still could not remember how he was bit on the arm. Defendant then admitted wrapping his arms around Doe’s torso to restrain her, and that one of his arms was around her neck during that time.

Defendant and Doe’s roommate reported that she lives in the basement, and that Defendant has been drinking heavily lately. The roommate reported that Defendant becomes aggressive when he drinks. The roommate reported that she heard yelling upstairs at about 4:30 a.m., and that Defendant was upset that Doe was sleeping in their kids’ room and was yelling at Doe. The roommate reported that about ten minutes later she heard Defendant again yelling, and heard a bottle break on the back patio. Shortly after the bottle broke, the roommate heard a lot of yelling and commotion in the living room, and started walking up the stairs. The roommate began recording a video on her phone as she walked up the stairs, and heard Doe

saying “help,” and “Jeff let go of me I can’t breathe,” and “stop it” in a shaky and restrained voice. When the roommate opened the door, she saw Defendant’s arm around Doe’s neck with his elbow near the front of Doe’s throat, and Defendant was pulling Doe backwards. Defendant’s other arm was under Doe’s armpit. Defendant then let go of Doe, yelled that he was calling the police and left the home. The roommate’s video recording captured the Defendant strangling Doe, and Doe saying “stop choking me.” Defendant responded by saying “I’m not f***ing choking you, you f***ing crying a** b**ch, I’m not even choking you.”

Doe disclosed that Defendant has been drinking a lot and has been on a “drinking binge” for the last few days. Doe disclosed that the incident started when she tried to go to bed, ultimately trying to sleep in their kids’ room with the kids. Defendant followed her to the kids’ room and kept yelling at her, which she told him was scaring the kids. Doe admitted threatening to break his alcohol bottles, and actually breaking one bottle. Doe disclosed that Defendant strangled her with an arm around her neck. Doe did not have obvious marks on her neck or upper chest, but did have dark circles around her eyes and reddening in her eyes. Doe disclosed telling Defendant that she could not breathe. Doe disclosed that she felt uncomfortable and it was difficult to breathe, but denied losing consciousness. Doe disclosed that she

did not think the incident was “deadly” and believes that Defendant needs rehab for his drinking addiction. Doe disclosed that she is always scared when Defendant is drunk, and mainly is scared of verbal abuse. Doe disclosed that Defendant is her payee, so all of her finances are deposited into Defendant’s bank account, which she cannot access.

Officer Harvey looked in the garbage can he had seen Defendant walk towards, and saw a maroon folder with syringes inside, as well as a small plastic baggie with a white residue inside which he believed to be methamphetamine. Officer Harris located additional drugs and paraphernalia inside the garbage can, including: additional syringes, an empty prescription pill bottle with an unrelated person’s name on it, a small gray container with one hydrocodone pill in it, and a plastic bag with 19.5 large lorazepam pills and 20 small lorazepam pills in it. Lorazepam is a schedule IV controlled substance. The residue tested positive for methamphetamine with a TrueNarc scan.

While Defendant was being escorted to Officer Harvey’s patrol car, he stated unprompted “that shit’s old.” Officer Harvey asked what he was referring to, and Defendant said the drugs inside the trash can. Defendant said he put them there because he “freaked out” and thought Doe was going to “snitch” on him.

DATED this 3rd day of August, 2020.

/s/ Meghann Paddock
MEGHANN PADDOCK
Deputy County Attorney

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

Electronically Signed By:
Hon. Judge Landee Holloway
Mon, Aug 03 2020 02:00:59 PM