

MAC BLOOM
Deputy County Attorney
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ATTORNEYS FOR PLAINTIFF

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

STATE OF MONTANA, Plaintiff, -vs- JOHN ALLEN BRYAN, Defendant.	Dept. Cause No. AFFIDAVIT OF PROBABLE CAUSE IN SUPPORT OF AMENDED COMPLAINT
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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 law enforcement reports regarding the investigation of JOHN ALLEN BRYAN for allegedly committing the offenses of:

COUNT I: THREATS/IMPROPER INFLUENCE IN OFFICIAL AND POLITICAL MATTERS, a felony, in violation of § 45-7-102, MCA;

COUNT II: RESISTING ARREST, a misdemeanor, in violation of § 45-7-301, MCA;

COUNT III: OBSTRUCTING PEACE OFFICER OR OTHER PUBLIC SERVANT, a misdemeanor, in violation of § 45-7-302(1), MCA;

COUNT IV: DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS - 1ST OFFENSE, a misdemeanor, in violation of § 61-8-401(1)(a)[1st], MCA;

COUNT V: DISORDERLY CONDUCT - 1ST OFFENSE, a misdemeanor, in violation of § 45-8-101(2)(a), 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 18, 2020, at 7:53 p.m., Deputy Sullivan (MCSO) observed a blue Pontiac GTO stopped at the intersection of South Avenue and Reserve Street. When the light changed, the GTO drove westbound on South Avenue and crossed over the centerline. The GTO then drove onto the fog line and over-corrected across the centerline. Deputy Sullivan followed the GTO and observed it again drifting onto the fog line.

The GTO turned onto 32nd Street, and began varying its speed by slowing to 15 MPH and then quickly accelerating to 25 MPH. The GTO

drove over the centerline two more times. On one occasion, it came in close proximity to a passing vehicle on North Ave.

Deputy Sullivan initiated a traffic stop. The GTO slowed and then stopped in the driving lane. The driver of the GTO, John Bryan, exited the vehicle and approached Deputy Sullivan. Deputy Sullivan told him to remain in his vehicle, but Bryan disregarded the order and pointed to his ear. When Bryan got close to Deputy Sullivan, Deputy Sullivan smelled the odor of an alcoholic beverage coming from Bryan. Bryan then stated, "There ain't nothing wrong with my fucking car, why you stopping me?" Deputy Sullivan explained that he was stopping Bryan due to his driving behavior. Bryan's speech was slurred, profane, and slow. Bryan also staggered slightly as he walked.

Deputy Sullivan ordered Bryan to remain at the front of his patrol vehicle. Bryan ignored the order and walked back towards his car. Deputy Sullivan observed what appeared to be a knife in Bryan's pocket. In order to keep Bryan from getting back into his vehicle, Deputy Sullivan grabbed Bryan's arm. Bryan immediately began to resist and pulled his arm away. Deputy Sullivan escorted Bryan to the rear of the GTO and attempted to use the GTO to restrain Bryan. The GTO began rolling forward as it had been left in neutral.

Deputy Sullivan told Bryan he was being detained. Bryan continued to pull his arms away and resisted being placed in handcuffs. Deputy Sullivan took Bryan to the ground to gain control of him. Once Bryan had been placed in handcuffs, Deputy Sullivan removed the knife from Bryan's pocket. Bryan complained about being unable to breathe, and Deputy Sullivan seated him upright.

Other officers arrived on scene. Bryan refused to cooperate with the DUI investigation. When Deputy Sullivan, Deputy Rasmussen, Deputy Swearingen, and Corporal Sargent placed Bryan in the back of a patrol vehicle, Bryan stated, "I use to kill punks like you when I was in the Marine Corps." When Deputy Sullivan attempted to read Implied Consent, Bryan began screaming about his vehicle being towed and attempted to get out of the patrol vehicle. Deputy Sullivan closed the door, and Bryan began kicking the side window of the patrol vehicle. Bryan eventually refused to provide a blood sample. Deputy Sullivan noted that his eyes were red and watery, and he had a dazed expression on his face.

Bryan has a prior DUI conviction from 2001, so Deputy Sullivan obtained a warrant for a blood draw. Bryan made several more statements about killing law enforcement. Specifically, he told Corporal Sargent that he was going to kill him.

Deputy Sullivan began transporting Bryan to the Hospital. Bryan began complaining about his breathing and started hitting his head against the window repeatedly. He also called Deputy Sullivan a “dickhead.”

At St. Patrick Hospital, Bryan refused to cooperate with a blood draw. He was placed in a restraint chair and told nursing staff to, “fuck off.” He also threatened to bite a security officer on the nose. Security staff placed a spit hood on Bryan so he could not bite anyone. Bryan continued to be uncooperative and stated, “If I ever see you out in the world, I will fuck you.”

After the blood draw, Deputy Sullivan transported Bryan to Jail.

DATED this 19th day of August, 2020.

/s/Mac Bloom
MAC BLOOM
Deputy County Attorney

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