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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- LEO PHILLIPS DILLON II, Defendant.</p>	<p>Dept. Cause No.  <b>AFFIDAVIT OF PROBABLE CAUSE</b></p>
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STATE OF MONTANA        )  
                                          : ss  
County of Missoula        )

MATT JENNINGS, Deputy County Attorney, Montana, being first duly sworn upon oath, deposes and says:

I have read the law enforcement reports regarding the investigation of LEO PHILLIPS DILLON II for allegedly committing the offense of:

COUNT I: ASSAULT ON A MINOR, a felony, in violation of § 45-5-212, 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 8/13/20, Missoula Det. Sgt. Klawitter attended a First Step forensic interview of a child, D.D. D.D. is almost 4 years old and CPS suspected physical abuse of the child. Sgt. Klawitter met with CPS Kristin Hallesy who provided background information on the case:

The offenses took place at 301 Blaine apt C where all of the involved parties reside. CPS became involved in this case when the child's daycare called CPS. D.D. and his sister are twins and they attend daycare every weekday. They missed daycare 3 consecutive days in July, and on the day they returned, both were "covered in bruises" (about 7/21/20). The daycare worker questioned the children who said their father hit them with a belt. The daycare contacted CPS and Kristin Simm and Kristin Hallesy both spoke with the children. The children told them their father hit them with a belt. Simms interviewed Defendant Leo Dillon who first maintained that the children fell off of some bleachers. He then admitted that he hit them with a belt and showed the belt to CPS workers. Hallesy told Sgt. Klawitter the pattern of the belt matched the bruises on the children. Hallesy said there was an officer with

the Missoula PD involved in the response to the residence and Leo had to be removed from the scene due to him being belligerent.

Recently, on 8/12/20 the children attended daycare and were fine. The next day (8/13/20) they arrived late around noon and D.D. had a large swollen injury on his right cheek bone. D.D. had a swollen right cheek bone, with bruising extending to the bridge of his nose, upper lip and the top and bottom eyelid.

The forensic interview was conducted by RN Monica Brook. During the interview, D.D. disclosed that what made him sad was his dad. D.D. said his dad hit him in the face and “popped” him in the face.

Hallesy said the children were left in the home with stepmother and step grandmother. The biological mother is out of state and does not have custody. Defendant agreed to go stay at a motel.

On 8/14/20, at about 10:00AM, Sgt. Klawitter called Leo Dillon to request an interview. Leo said he was working all day, and unable to come in for an interview. Sgt. Klawitter consulted with CPS Kristin Hallesy who said Leo is unemployed and does not work anywhere. Hallesy has concerns that Leo may return to the residence against his CPS protection plan.

The injury sustained by D.D. are excessive of what would be needed to discipline a child of 3, going on 4 years old. Photos provided by CPS show

extensive bruising on D.D.'s body and face. Defendant was located and placed under arrest.

DATED this 16th day of August, 2020.

/s/ Matt Jennings  
MATT JENNINGS  
Deputy County Attorney

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