

Joshua A. Racki
Cascade County Attorney
121 4th Street North, #2A
Great Fall, MT 59401
Telephone: (406) 454-6915

Attorney for the State

IN THE JUSTICE COURT, IN AND FOR THE COUNTY OF CASCADE
CITY OF GREAT FALLS, STATE OF MONTANA
BEFORE THE HONORABLE JUSTICE OF THE PEACE

STATE OF MONTANA,

Plaintiff,

vs.

LINDA BERNADETTE BIGBEAVER,

Defendant.

No. _____

INITIAL COMPLAINT,
AFFIDAVIT IN SUPPORT, AND
MOTION TO DETERMINE
PROBABLE CAUSE AND SET
BOND

Citation No. 052656862

The State of Montana, by and through the Cascade County Attorney, pursuant to M.C.A. §§ 46-11-101(1), 46-11-401(1), 46-1-202(6), and 46-11-401(3), hereby files this complaint against the above-named Defendant in the above-captioned Justice Court for purposes of M.C.A. § 46-10-105(1), pending filing of an Information and Affidavit in District Court pursuant to M.C.A. §§ 46-11-101(3), 46-11-201, and 46-11-203. This complaint consists of this pleading and the attached law enforcement citation form(s) and probable cause affidavit(s) which by this reference are hereby incorporated herein as if set forth in their entirety.

The State further moves the Court for a finding of probable cause and to set bail in this matter pursuant to M.C.A. §§ 46-9-109 and 46-9-301. This Defendant has been charged with the following offenses:

COUNT I: INDECENT EXPOSURE (MINOR), a Felony, in violation of M.C.A. § 45-5-504(3)(a). A person convicted of the offense of indecent exposure to a minor shall be fined an amount not to exceed \$50,000 or be imprisoned in the state prison for a term of not less than 4 years, unless the judge makes a written finding that there is good cause to impose a term of less than 4 years and imposes a term of less than 4 years, or more than 100 years, or both.

STATE OF MONTANA)

: ss.

County of Cascade)

AFFIDAVIT IN SUPPORT

As outlined in the attached probable cause affidavit, on Wednesday, August 25th, 2021 at 1841 hours, GFPD Officer Lee was dispatched to the GFPD lobby to take a report regarding a Linda Bigbeaver attempted to fight the caller Belinda Hayes, and exposing herself in front of kids.

Upon arrival Officer Lee spoke with the caller Belinda, her husband I.H, and daughter B.H (juvenile 15yo). Officer Lee learned that near the area of 15th St and 8th Ave N around 1740 hours, Linda had observed Belinda, approached her and began trying to fight with Belinda using "odd" gestures and threatening language while the caller was waiting for her son to finish a fitness class at that location.

Belinda added that she got into her vehicle to get away from Linda as she approached her. Belinda yelled at Linda to go away and that there were kids were in the area. Belinda got her phone out and told Linda she was calling the cops. In response, Linda ran across the street to the corner and began to expose her breasts to Belinda and Belinda's juvenile daughter. Belinda has known Linda for their whole lives so she knew it was Linda who did these things.

Belinda's husband Isiah said he walked out with his juvenile son, and happened to look over at Linda on the street corner and observed Linda repeatedly pulling her shirt down to expose herself to them. Isiah added he also saw her buttocks as her pants were down around her knees and she was turning around showing "everything off".

Belinda's daughter said that she watched the whole incident between her mom and Linda and said that she also observed Linda "flashing" herself.

After Linda finally left, Belinda spoke with another parent who observed the incident and provided the name to Officer Lee. Officer Lee made contact with the witness (Katrina Bava) who said that she observed the female (Linda) acting very odd and yelling at Belinda. Katrina said she yelled for both of them to calm down as the kids were coming out of the fitness class. As Katrina noticed the kids coming from the class, she saw Linda pulling what she said was a white tank-top down exposing her breasts to the public. Katrina is a third party and does not know either party.

This incident took place in the presence of a youth event, and in front of at least two juveniles. Bigbeaver knowingly or purposely exposed her genitals or

intimate parts by any means under circumstances in which she knew the conduct was likely to cause affront or alarm in order to abuse, humiliate, harass, or degrade another. At least one of those she exposed herself to was a minor.

Bigbeaver has an extensive misdemeanor history.

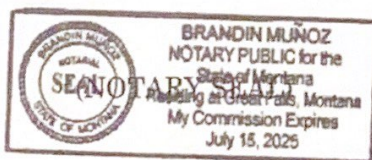
For the foregoing reasons, the State respectfully requests bond in the amount of \$1,500.

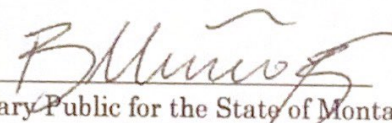
DATED this 27th day of August, 2021.

JOSHUA A. RACKI
Cascade County Attorney



SUBSCRIBED AND SWORN TO before me on the 27th day of August, 2021.




Notary Public for the State of Montana,
Residing at Great Falls, Cascade County,
Montana.
My commission expires Jul 15, 2025

cc: CA/Racki

ORDER

Upon examining the foregoing Motion and Affidavit,

IT IS THE FINDING OF THIS COURT:

_____ that probable cause exists to charge the Defendant as stated above;

OR,

_____ that probable cause does not exist to charge the Defendant as stated above.

DATED this _____ 27th day of _____ in Cascade County,
Montana.

DISTRICT COURT JUDGE

PROBABLE CAUSE AFFIDAVIT



DISTRICT COURT GREAT FALLS, CASCADE COUNTY, MONTANA

STATE OF MONTANA

Plaintiff

PROBABLE CAUSE AFFIDAVIT/ HEARING

vs.

BIGBEAVER, LINDA BERNADETTE

Defendant

CASE NUMBER: PD21-10350

INCIDENT DATE: 08/25/21

OFFICER AFFIDAVIT:

The undersigned Officer of the Great Falls Police Department, being first duly sworn, states the following:

1. The offense(s) charged in this complaint occurred within the city limits of Great Falls, Montana.
2. I base the probable cause to charge or issue a warrant in this case on the following:

On Wednesday, August 25th, 2021 at 1841 hours, I was dispatched to the GFPD lobby to take a report regarding a Linda Bigbeaver attempted to fight the caller Belinda Hayes, and exposing herself in front of kids.

Upon arrival I spoke with the caller Belinda, her husband I.H, and daughter B.H (juvenile 15yo). I learned that near the area of 15th St and 8th Ave N around 1740 hours, Linda had observed the caller, approached her and began trying to fight her using "odd" gestures and threatening language while the caller was waiting for her son to finish a fitness class. Belinda added that she got into her vehicle to get away from Linda as she approached her. At this time Belinda said she started to yell at Linda to go away and that kids were in the area. Belinda said she got her phone out and told her she was calling the cops so Linda ran across the street to the corner and began to expose her breast to her and her daughter. It should be noted that Belinda and Linda have known each other for their whole lives so she knew it was her.

Belinda's husband Isiah said he walked out with his son, and happened to look over at Linda on the street corner and observed her over and over pulling her shirt down to expose herself to them. Isiah added he also saw her buttocks as her pants were down around her knees and she was turning around showing "everything off".

Belinda's daughter Blueskye, said that she watched the whole incident between her mom and Linda and said that she also observed Linda "flashing" herself.

After Linda finally left, Belinda spoke with another parent who observed the incident. I was provided with the name and number for the witness. I made contact with the witness (Katrina Bava) who said that she observed the female (Linda) acting very odd and yelling at Belinda. Katrina said she yelled for both to calm down as the kids were coming out of the fitness class. As Katrina noticed the kids coming from the class, she saw Linda pulling what she said was a white tank-top down exposing her breasts to the public. Katrina is a third party and does not know either party.

As this incident took place in the presence of a youth event, and in front of a juvenile, I believe to have probable cause to charge Linda Bigbeaver with felony Indecent Exposure.

3. I know the purpose of this statement is part of the probable cause hearing for the issuance of the below listed charges, and/ or requesting a warrant for the arrest of the defendant named in the complaint.


CHARGES:

45-5-504 (3)(a) - (F) Indecent Exposure

Dated this Wednesday, August 25, 2021

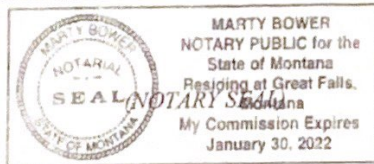
OFFICER SIGNATURE:


BADGE NUMBER/OFFICER NAME:


343 - Lee, Tanner

NOTARY SIGNATURE:

SUBSCRIBED AND SWORN to before me this 26th day of August, 2021.




Notary Public for the State of Montana,
Residing at Great Falls, Cascade County, Montana

My commission expires: Jan. 30, 2022

JUDGE ORDER:

The Court/ undersigned Judge hereby finds:

☐ *THERE IS*

☐ *THERE IS NOT*

SUFFICIENT PROBABLE CAUSE to file the above listed charges, and/ or hold the defendant pending trial or hearing, based on the facts outlined herein.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2021.

JUDGE SIGNATURE:

DISTRICT COURT JUDGE

CITY ATTORNEY <input type="checkbox"/>	COUNTY ATTORNEY <input type="checkbox"/>	COUNTY JAIL <input type="checkbox"/>	SHERIFF'S OFFICE <input type="checkbox"/>	PUB DEF PARALEGAL <input type="checkbox"/>	DEFENDANT <input type="checkbox"/>	DEFENSE COUNSEL <input type="checkbox"/>
---	---	---	--	---	---------------------------------------	---