

Margaret R. Gallagher (19-27353)
DEPUTY YELLOWSTONE COUNTY ATTORNEY
P.O. Box 35025
Room 701, Courthouse
Billings, Montana 59107-5025
Telephone: 406/256-2870
Attorney For Plaintiff

IN THE JUSTICE COURT OF RECORD OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

STATE OF MONTANA,

Plaintiff,

vs.

LISA CHRISTINE WALTER, A.K.A.
LISA CHRISTINE HAIDER,
Defendant.

CAUSE NO. CR2019-

JUDGE DAVID A. CARTER

COMPLAINT

The undersigned Deputy County Attorney of Yellowstone County, Montana, states: before the filing of this Complaint, the above-named Defendant, in Yellowstone County, Montana, on or about May 27, 2019, committed the offenses of:

COUNT I: CRIMINAL ENDANGERMENT (FELONY)

(Punishable by up to 10 years in prison and a fine not to exceed \$50,000 fine, or both)

The alleged facts constituting the offense are:

That the Defendant, LISA CHRISTINE WALTER (born in March 1981), knowingly caused a substantial risk of serious bodily injury and/or death to another person(s), to wit: the Defendant drove a vehicle in reverse on Interstate 90 while under the influence of alcohol, thereby putting other vehicles' occupants at substantial risk of death or serious bodily injury; in Yellowstone County, Montana; all of which is a violation of Section 45-5-207, Montana Code Annotated, and against the peace and dignity of the State of Montana.

**COUNT II: DRIVING A MOTOR VEHICLE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS
3RD OFFENSE (MISDEMEANOR)**

(Punishable by imprisonment for a term of not less than 30 days or more than 1 year and a fine of not less than \$2,500 or more than \$5,000)

The alleged facts constituting the offense are:

That the Defendant, LISA CHRISTINE WALTER (born in March 1981), drove or was in actual physical control of a vehicle on the ways of this state open to the public, while under the influence of alcohol or drugs, and that the Defendant has two prior convictions of driving under the influence pursuant to MCA § 61-8-401 within ten years of the commission of this offense, to wit: the Defendant operated a motor vehicle at or near mile marker 454 on Interstate 90 in Yellowstone County, Montana, with a blood alcohol concentration in excess of 0.08, and Defendant has two prior convictions for DUI in 2016 and 2019; all of which is in violation of Sections 61-8-401 and 61-8-714, Montana Code Annotated, and against the peace and dignity of the State of Montana.

COUNT III: FLEEING FROM OR ELUDING A PEACE OFFICER (MISDEMEANOR)
(Punishable by up to 1 year in jail or a fine not to exceed \$2,000, or both)

The alleged facts constituting the offense are:

That the Defendant, LISA CHRISTINE WALTER (born in March 1981), knowingly failed to obey a visual or audible signal by hand, voice, emergency light, or siren directing him to stop, given by a uniformed peace officer operating a police vehicle in the lawful performance of the peace officer's duty, by increasing the speed of his motor vehicle, or otherwise fleeing from, eluding, or attempting to flee from or elude the peace officer, to wit: after Montana Highway Patrol Trooper Brennan Plucker activated his patrol vehicle's emergency lights and siren to stop the Defendant's vehicle, the Defendant accelerated quickly and drove at high rates of speed away from the trooper; occurring in Billings, Yellowstone County, Montana; all of which is a violation of Section 61-8-316, Montana Code Annotated, and against the peace and dignity of the State of Montana.

COUNT IV: FAIL TO HAVE LAMPS LIGHTED WHEN REQUIRED (MISDEMEANOR)
(Punishable by up to \$100 fine)

The alleged facts constituting the offense are:

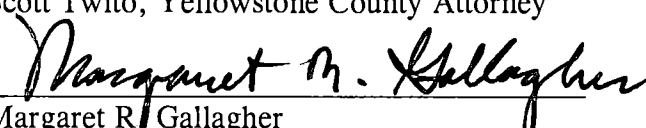
That the Defendant, LISA CHRISTINE WALTER (born in March 1981), failed to display lighted lamps and illuminating devices as required of every vehicle upon the highways of the State of Montana, from one-half hour after sunset to one-half hour before sunrise and at any other time when light is insufficient, to wit: Defendant operated a motor vehicle on Interstate 90, Yellowstone County, Montana, at 02:15 hours, a time more than one-half hour after sunset or before sunrise, without having the lamps lighted on his vehicle; all of which is a violation of Section 61-9-201, Montana Code Annotated, and against the peace and dignity of the State of Montana.

COUNT V: SEXUAL ASSAULT 1ST OFFENSE (MISDEMEANOR)
(Punishable by a fine not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both)

The alleged facts constituting the offense are:

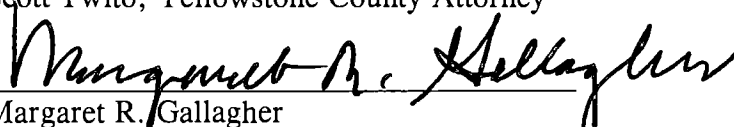
That the Defendant, LISA CHRISTINE WALTER (born in March 1981), knowingly subjected another person to any sexual contact without consent, to wit: without consent of Trooper Plucker, the Defendant touched the trooper's genitals through his clothing; occurring on Interstate 90 in Yellowstone County, Montana; all of which is a violation of Section 45-5-502, Montana Code Annotated, and against the peace and dignity of the State of Montana.

Dated May 28, 2019.

Scott Twito, Yellowstone County Attorney
By: 
Margaret R. Gallagher
Deputy County Attorney in and for
Yellowstone County, Montana

STATE OF MONTANA)
 ss:
County of Yellowstone)

The undersigned, being first duly sworn or affirmed on her oath, deposes and says: That she is qualified and acting on behalf of the Yellowstone County Attorney, and that she has read the foregoing Complaint and attached Affidavit, knows the contents thereof and the matters, facts, and things therein stated are true of her knowledge, except those things stated on information and belief, and that as to those she believes it to be true.

Scott Twito, Yellowstone County Attorney
By: 
Margaret R. Gallagher
Deputy County Attorney in and for
Yellowstone County, Montana

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AFFIDAVIT IN SUPPORT OF COMPLAINT

The undersigned Deputy County Attorney of Yellowstone County, Montana, duly sworn or affirmed on her oath that the information below was provided by sworn law enforcement officers during their investigation as documented evidence in support of the complaint filed in this matter and reviewed to ensure by information and belief that the above-mentioned Defendant, in Yellowstone County, Montana, on or about May 27, 2019, committed the offenses of:

COUNT I: CRIMINAL ENDANGERMENT (FELONY)

**COUNT II: DRIVING A MOTOR VEHICLE UNDER THE INFLUENCE OF ALCOHOL OR
DRUGS 3RD OFFENSE (MISDEMEANOR)**

COUNT III: FLEEING FROM OR ELUDING A PEACE OFFICER (MISDEMEANOR)

COUNT IV: FAIL TO HAVE LAMPS LIGHTED WHEN REQUIRED (MISDEMEANOR)

COUNT V: SEXUAL ASSAULT 1ST OFFENSE (MISDEMEANOR)

The Court is informed that the Montana Highway Patrol (MHP) investigation revealed the following:

On May 27, 2019, at 02:10 hours MHP Trooper Brennen Plucker was on patrol in the area of Interstate 90, around mile marker 450 in Yellowstone County westbound. He observed a grey sedan traveling eastbound on I-90 with its headlights turned off. The vehicle only had on its amber running lights. The trooper crossed the median to turn eastbound and caught up with the vehicle. He passed the vehicle and confirmed the vehicle did not have its headlights activated. He slowed down his patrol car and allowed the vehicle to pass him. He observed the driver drift over the lane line partially into the passing lane and began straddling the lane line for a distance before drifting back into the driving lane. The trooper activated the

patrol car's top emergency lights to initiate a traffic stop. He noted his speed to maintain a consistent following distance was approximately 80 miles per hour. The driver began to drift over the fog line and onto the shoulder of the roadway. The trooper then activated his siren to get the driver to yield for a traffic stop. Another passenger car just ahead recognized the siren and overhead lights and pulled over to the shoulder reducing its speed to about 10 mph.

The gray sedan continued to drive on the shoulder at approximately 88 mph and was approaching the other yielded passenger car at a high rate of speed. The trooper anticipated a high-speed collision and slowed to 55 miles per hour. The trooper observed the sedan overtake the yielded passenger car to the right on the shoulder and partially left the roadway, coming within inches of a high speed crash. The sedan moved back onto the shoulder of the interstate then into the driving lane and accelerated rapidly. The trooper caught up with the sedan and maintained a consistent following distance at just over 100 mph. The vehicle maintained speeds of 90-100 mph for approximately 3 miles. The vehicle would straddle the lane line and would swerve and drift all over the road. The vehicle began to drive on the shoulder just before mile marker 454.

The trooper identified the vehicle's license plate 10-6676C. The trooper continued driving in the driving lane while the sedan drove on the shoulder. The driver then slammed on brakes and came to a complete stop. The vehicle then went into reverse and was driving westbound in the eastbound lanes. The trooper put his vehicle into reverse and at one point was door-to-door with the sedan. He observed the driver, the only occupant, was female and appeared not to be wearing a shirt. The vehicle continued to drive off in reverse and began driving in the grass off the side of the interstate. The vehicle went out of control and spun 180 degrees and was now facing westbound in the grass off the interstate. The driver then put the vehicle into drive and drove west in the grass. The vehicle then drove back onto the interstate and looked as if it might turn and drive eastbound. The vehicle then turned to its left and faced west in the eastbound lane. At this time the trooper thought the driver might attempt to travel the wrong way on the interstate. The driver continued turning left and went back off the roadway and into the grass still facing westbound. The driver continued turning left and went back off the roadway and into the grass still facing westbound. The vehicle continued off the road and crashed into the right-of-way fence off the interstate near mile marker 454.

The driver stayed in the vehicle, and the trooper approached with his weapon drawn and ordered the driver not to move and put her hands up. As the trooper approached, the driver took a drink out of a large beverage container. The trooper approached the passenger side and noticed the driver was not wearing any clothing. The trooper made his way around to the driver's side and order her to put her hands out the window and kept her in this position until his backup, Trooper Moran, arrived.

Trooper Plucker asked the driver why she had run, and she replied, 'I didn't run, I chased. You.' When asked where she was coming from and where she was going, she replied, 'I'm coming from my house and going to my other house, it's kind of like back to the future.' When asked what her name was, she replied, 'Lisa Scott, with two T's.' Trooper Moran found a robe in her vehicle, and they wrapped her in it. Trooper Plucker took the driver to the back of his patrol car and while a jacket was being removed from the back seat of the patrol car, the trooper felt the driver touch him in the penis area through his clothes. As he pulled away and looked down, he saw her fingers moving like she was still trying to grope him. The trooper told her not to touch him, and she replied, 'Sometimes, I just get...' The trooper did not recall how the driver finished the sentence, but it was something like 'frisky' or 'horny'.

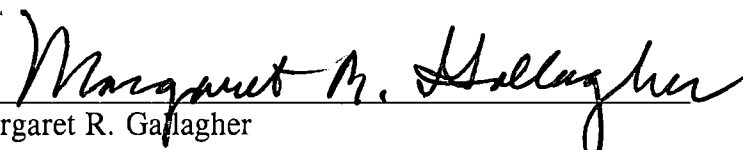
Trooper Plucker placed the driver into the back seat of the patrol car, and she laid down. Trooper Moran handled towing of the grey sedan and filled out a crash report. While Trooper Moran was handling the vehicle, he noticed in plain view on the passenger side floor board a Red Bull can used as a make-shift smoking device with a burnt residue inside.

Trooper Plucker transported the driver to the Yellowstone County Detention Facility DUI Center to process her for driving under the influence of alcohol and/or drugs. While en route dispatch advised the registered owner of the sedan was LISA CHRISTINE WALTER (born in March 1981), the Defendant herein. The trooper noted the Defendant talked non-sense on the DUI Center. Her speech was slurred and mumbled incoherently, as if she was talking to herself. She would burst out in anger and would use profanities. She also kicked and banged the back area of the car several times.


At the DUI Center, detention staff assisted Trooper Plucker to remove the Defendant from the patrol car. She removed her robe and was naked again. The staff had a difficult time removing her. At the processing room the trooper asked the Defendant if he could conduct field sobriety maneuvers. The Defendant replied, 'no'. At approximately 03:00 hours, the trooper read the Defendant the Implied Consent Advisory. Midway through the advisory, the Defendant began to resist and the staff had to restrain her. The trooper read the advisory and asked the Defendant if she would provide a blood sample. The Defendant did not reply and acted as if she was asleep. The trooper asked several more times until she replied, refusing everything.

The investigation revealed the Defendant has two prior DUI convictions from July 20, 2016, and February 12, 2019. In addition, the trooper noted the Defendant also was charged with DUI on May 5, 2019.

The trooper applied for a telephonic search warrant with Judge Davies, who approved the warrant for the Defendant' s blood. The detention staff drew the blood at approximately 03:22 hours.


Margaret R. Gallagher
Deputy County Attorney
Yellowstone County, Montana

This instrument was signed and sworn to before me on May 28, 2019, by Margaret R. Gallagher.


Sheila DeVries

