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Attorneys 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. JOSEPH ELMER CASADY, Defendant.	No. INITIAL COMPLAINT, AFFIDAVIT IN SUPPORT, AND MOTION TO DETERMINE PROBABLE CAUSE AND SET BOND Citation No. 052C07457, 052C07458
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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: ASSAULT ON MINOR (BODILY INJURY), a Felony, in violation of M.C.A. § 45-5-212. The above-named Defendant purposefully or knowingly caused bodily injury to another, namely HD, (age 11), and at a time when that individual was less than 14 years of age and the Defendant was 18 years of age or older.

A person convicted of this offense shall be imprisoned in a state prison for a term not to exceed 5 years or be fined not more than \$50,000, or both.

COUNT II: ASSAULT ON MINOR (BODILY INJURY), a Felony, in violation of M.C.A. § 45-5-212. The above-named Defendant purposefully or knowingly caused bodily injury to another, namely KD, (age 7), and at a time when that individual was less than 14 years of age and the Defendant was 18 years of age or older.

A person convicted of this offense shall be imprisoned in a state prison for a term not to exceed 5 years or be fined not more than \$50,000, or both.

STATE OF MONTANA)

: ss.

County of Cascade)

AFFIDAVIT IN SUPPORT

As outlined in the attached probable cause affidavit, Great Falls Police Officer Hayden Meek was dispatched to 608 25th Avenue Northeast for a report of a family disturbance involving a suicidal juvenile female. On arrival, Officer Meek spoke to

SD, the step granddaughter of Joseph Casady. SD told Officer Meek that earlier in the day SD stole some cigarettes from her grandmother. SD also told Officer Meek that she and her sisters, HD (11 years old) and KD (7 years old) were playing with shaving cream in the bathroom and made a mess. SD advised that when Joseph confronted SD, and her sisters, HD, and KD, about it, Joseph became upset. As a form of discipline, he hit her two younger sisters, HD, and KD, with a belt on the butt and thigh. It should be noted that HD was in shorts and Officer Meek could clearly see a large red mark on HD's upper thigh. KD and HD both told Officer Meek that Joseph had hit them with a belt. Officer Meek contacted DFS and had a female officer take pictures of KD and HD's injuries. It should be noted that both children had red marks on their upper thighs and said that it hurt when they were hit with the belt. Officer Meek spoke to Joseph who was inside the residence. He told Officer Meek that Joseph had arrived home and found out that someone had stolen his wife's cigarettes and made a mess of the bathroom with shaving cream. Joseph told Officer Meek that he asked KD, HD and SD who made the mess and stole the cigarettes. Joseph told Officer Meek that all three girls lied to him, which made him upset. Joseph said he then grabbed a leather belt and spanked KD and HD on their butts. Joseph admitted that he knew it was wrong but did not think he hit them hard. Joseph showed Officer Meek the belt he used to hit the girls which was placed into evidence.

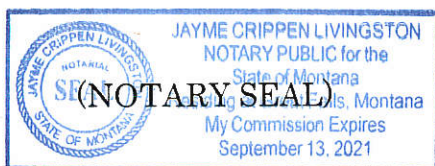
No prior convictions were located for this Defendant. Given the pending counts of assault on two separate minor children, the State respectfully requests bond in the amount of \$10,000.00.

DATED this 2nd day of June, 2021.

JOSHUA A. RACKI
Cascade County Attorney

Michele R. Levine
Michele R. Levine
Deputy County Attorney

SUBSCRIBED AND SWORN TO before me on the 2nd day of June, 2021.



Jayme Crippen Livingston
Notary Public for the State of Montana,
Residing at Great Falls, Cascade County,
Montana.
My commission expires 9-13-21

cc: CA/Racki

O R D E R

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 _____2nd day of _____ in Cascade County,
Montana.

DISTRICT COURT JUDGE

PROBABLE CAUSE AFFIDAVIT



DISTRICT COURT GREAT FALLS, CASCADE COUNTY, MONTANA

STATE OF MONTANA

Plaintiff

vs.

CASADY, JOSEPH ELMER

Defendant

PROBABLE CAUSE AFFIDAVIT/ HEARING

CASE NUMBER: PD21-06451

INCIDENT DATE: 06/01/21

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 June 1, 2021 I was dispatched to 608 25th Avenue Northeast for a report of a family disturbance involving a suicidal juvenile female.

On arrival, I spoke to SD, the step grand daughter of Joseph Casady (CJIN return MT DL). She told me that earlier in the day she stole some cigarettes from her grand mother. She also told me that she and her sisters, HD (11 years old) and KD (7 years old) were playing with shaving cream in the bathroom and made a mess. She advised that when Joseph confronted her and her sisters about it he became upset and as a form of discipline, hit her two younger sisters with a belt on the butt and thigh. It should be noted that HD was in shorts and I could clearly see a large red mark on her upper thigh.

KD and HD both told me that Joseph had hit them with a belt. I contacted DFS and had female officer take pictures of KD and HD's injuries. It should be noted that both children had red marks on their upper thighs and said that it hurt when they were hit with the belt.

I spoke to Joseph who was inside the residence. He told me that he had arrived home and found out that someone had stolen his wifes cigarettes and made a mess of the bathroom with shaving cream. Joseph told me that he asked KD, HD and SD who made the mess and stole the cigarettes. He told me that all three girls lied to him, which made him upset. He told me that he then grabbed a leather belt and spanked KD and HD on their butt. He admitted to me that he knew it was wrong but did not think he hit them hard. Joseph showed me the belt he used to hit the girls which I placed into evidence.

I placed Joseph under arrest and transported him to the CCDC where I remanded him on two charges of assault on a minor. It should be noted that DFS took custody of the children.

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:

Dated this Wednesday, June 02, 2021

OFFICER SIGNATURE:

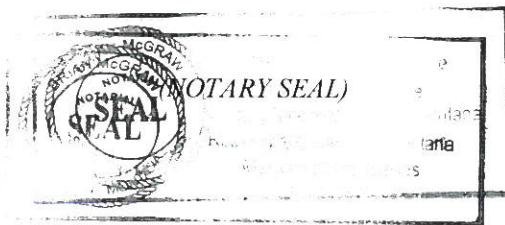
BADGE NUMBER/OFFICER NAME:

Hayden Meek

341 - Meek, Hayden

NOTARY SIGNATURE:

SUBSCRIBED AND SWORN to before me this 2 day of JUNE, 2021.



Brian McGowan

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

My commission expires: July 8, 2021

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 ☐	COUNTY ATTORNEY ☐	COUNTY JAIL ☐	SHERIFF'S OFFICE ☐	PUB DEF PARALEGAL ☐	DEFENDANT ☐	DEFENSE COUNSEL ☐
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QHMAST: 341, 19550105, M, U, 516721814, GREAT FALLS PD 406 771-1180, 112 1ST STREET SOUTH, GREAT FALLS, MT, MT, 59403, N, N, N, N, OFFICER HAYDEN MEEK, C, CASADY, JOSEPH - Received 06/01/2021 22:15:06

NL01061C0011GDQH

MT0070104

NO IDENTIFIABLE RECORD IN THE NCIC INTERSTATE IDENTIFICATION INDEX (III)

FOR NAM/CASADY, JOSEPH.DOB/19550105.SEX/M.RAC/U.PUR/C.

ATN/OFFICER HAYDEN MEEK.

END

TRACKING 06/02/2021, 00:15:05 - MKE: QH - ORI: MT0070104 - Source: III - ISN: 061C0011H2 - REF: UNKN
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