

Joshua A. Racki
Cascade County Attorney
121 4th Street North, #2A
Great Falls, 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.

JOZEPH VICTOR PIERRE DRUMMEN,

Defendant.

No. _____

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

Citation No. 052C04754-22,
052C04755-22, 052C04756-22,
052C04757-22, 052C04758-22,
052C04759-22, 052C04760-22

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: CRIMINAL POSSESSION OF DANGEROUS DRUGS WITH INTENT TO DISTRIBUTE, a Felony, in violation of M.C.A. § 45-9-103. A person convicted of criminal possession with intent to distribute shall be imprisoned in the state prison for a term of not more than 20 years or be fined an amount not to exceed \$50,000, or both.

COUNT II: CRIMINAL POSSESSION OF DANGEROUS DRUGS WITH INTENT TO DISTRIBUTE, a Felony, in violation of M.C.A. § 45-9-103. A person convicted of criminal possession with intent to distribute shall be imprisoned in the state prison for a term of not more than 20 years or be fined an amount not to exceed \$50,000, or both.

COUNT III: CRIMINAL POSSESSION OF DANGEROUS DRUGS, a Felony, in violation of M.C.A. § 45-9-102. A person convicted of criminal possession of dangerous drugs shall be imprisoned in the state prison for a term not to exceed 5 years or be fined an amount not to exceed \$5,000, or both.

COUNT IV: CRIMINAL POSSESSION OF DANGEROUS DRUGS, a Felony, in violation of M.C.A. § 45-9-102. A person convicted of criminal possession of dangerous drugs shall be imprisoned in the state prison for a term not to exceed 5 years or be fined an amount not to exceed \$5,000, or both.

COUNT V: CRIMINAL POSSESSION OF DANGEROUS DRUGS, a Felony, in violation of M.C.A. § 45-9-102. A person convicted of criminal possession of dangerous drugs shall be imprisoned in the state prison for a term not to exceed 5 years or be fined an amount not to exceed \$5,000, or both.

COUNT VI: CRIMINAL POSSESSION OF DANGEROUS DRUGS, a Felony, in violation of M.C.A. § 45-9-102. A person convicted of criminal possession of dangerous drugs shall be imprisoned in the state prison for a term not to exceed 5 years or be fined an amount not to exceed \$5,000, or both.

COUNT VII: PROPERTY SUBJECT TO CRIMINAL FORFEITURE, a Felony, in violation of M.C.A. § 45-9-206(1). A person convicted of this offense shall be imprisoned in the state prison for a term not to exceed 10 years. Upon conviction, the property subject to criminal forfeiture is forfeited to the state and must be disposed of in accordance with the provisions of 44-12-212 and 44-12-213.

STATE OF MONTANA)

: ss.

County of Cascade)

AFFIDAVIT IN SUPPORT

As outlined in the attached probable cause affidavit, on or about April 5, 2022, Detective Scheer with the Great Falls Police Department was contacted by Officer Purves from Adult Probation and Parole regarding Jozeph Drummen, the Defendant herein. Detective Scheer is a member of the Russel Country Drug Task Force and is aware of the Defendant, due to an investigation into him for trafficking narcotics.

Numerous tips regarding the Defendant had been flooding into the task force. The Defendant was implicated during the search of another probationer's cell phone, discussing prices and availability of fentanyl pills. A confidential source, who has provided reliable and timely information in the past, implicated themselves in buying drugs from the Defendant. The source was aware that the Defendant had traveled to St. Regis on several occasions. The Defendant or his girlfriend travel to Spokane, WA from there, picking up Fentanyl pills by the hundreds.

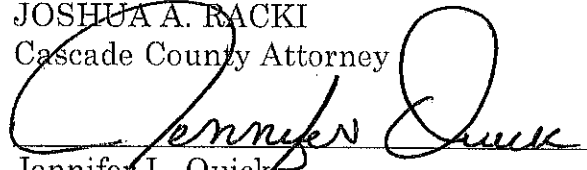
The Defendant tested positive for Fentanyl on a urinalysis test administer by probation and parole.

On April 6, 2022, Officer Purves conducted a search of the Defendant's vehicle (a 2008 Chevy truck bearing VIN# 2GCEK13C481289788), and located a couple half used Fentanyl pills on aluminum foil under the seat. Upon Detective Scheer's arrival, they located 156 Fentanyl Pills, .2 grams of meth, 2.2. grams of pure Fentanyl powder, Clonazepam, and Alprazolam. Based on his training and experience, Detective Scheer knows 156 Fentanyl Pills not to be user amount, but meant for distribution. The Fentanyl powder was also in distribution amounts. The average adult lethal dose of Fentanyl powder is 2 milligrams (the 2.2 grams of powder equates to 2000 milligrams or 1000 adult lethal doses). The other controlled substances located appeared to be user amounts. A search of the Defendant's residence was conducted, and several pieces of paraphernalia and a few odd pills were located.

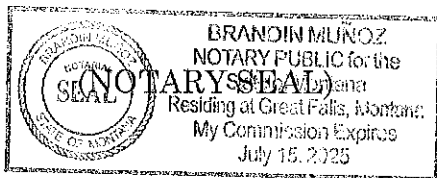
For the foregoing reasons, the State respectfully requests bond in the amount of \$50,000. Fentanyl is an extremely dangerous drug, and distribution of said drug into the Great Falls community implicates significant community safety concerns. Moreover, the Defendant is currently on probation in the community, indicating an absolute disregard for conditions of probation and the law. He has demonstrated an inability to follow court-imposed conditions of release.

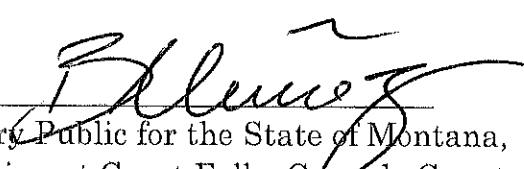
DATED this 8th day of April, 2022.

JOSHUA A. RACKI
Cascade County Attorney


Jennifer L. Quick
Deputy County Attorney

SUBSCRIBED AND SWORN TO before me on the 8th day of April, 2022.




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

My commission expires Jul 15 2025

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 _____8th day of _____ in Cascade County,
Montana.

DISTRICT COURT JUDGE

PROBABLE CAUSE AFFIDAVIT



DISTRICT COURT GREAT FALLS, CASCADE COUNTY, MONTANA

STATE OF MONTANA

Plaintiff

vs.

DRUMMEN, JOZEPH VICTOR PIERRE

Defendant

PROBABLE CAUSE AFFIDAVIT/ HEARING

CASE NUMBER: PD22-03856

INCIDENT DATE: 04/06/22

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 4-5-22 I was contacted by Probation Officer Purves, who had asked if I had any drug information regarding his client, Jozeph Drummen. Because I am assigned to the Russel Country Drug Task Force (RCDTF), I was aware of Jozeph "Zeff" Drummen. Furthermore I had been investigating Drummen for trafficking narcotics. Numerous tips regarding Drummen had been flooding into the RCDTF. I had also examined a telephone that had been seized from another probationer, and that phone had contained drug talk from Drummen on prices and availability of fentanyl pills. I had also personally spoke to a known Confidential Source (CS) about Drummen. This CS has provided reliable and timely information in the past and implicated themselves about buying drugs from Drummen. This CS was aware that Drummen had traveled to St. Regis Montana on several occasions. The CS advised Drummen or his current girlfriend rents a room in St. Regis and then a trips is made to Spokane Washington where Drummen or his girlfriend pick-up Fentanyl pills by the hundreds. I passed this information onto Purves and he advised that Drummen had shown positive for Fentanyl on a urinalysis test.

The next day on 4-6-22 I got another call from Purves. Purves advised that Drummen had arrived for their meeting, and upon checking Drummen's personal vehicle for contraband, He and Probation Officer Cory Light found a couple half used Fentanyl pills on aluminum foil under the seat. Upon my arrival, a deeper search into the truck by probation revealed that Drummen had transported 156 Fentanyl Pills, .2 grams of meth, 2.2 grams of pure Fentanyl powder, Clonazapam, and Alprazolam in his 2008 Chevy Silverado. Based on my training and experience as a Narcotics Detective, I know that 156 Fentanyl pill is not user amounts, but meant for distribution. The Fentanyl powder, although only 2.2 grams, is also distribution amounts. Based on my training and experience and the most current DEA data, an average adult lethal dose of the Fentanyl powder is 2 milligrams. The 2.2 grams of powder that I recovered, equates to more that 2000 milligrams or 1000 adult lethal doses. The other drugs located were in what I know to be personal use amounts. Probation also conducted a search of Drummen's current residence where they located numerous pieces of paraphernalia and a few odd pills.

Based on the drugs located, Drummen is being charged with 4 counts under 45-9-102 (Possession), 2 counts under 45-9-103 (Intent to Distribute), and 1 count of 45-9-206 (Criminal Forfeiture).

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:

45-9-103(3) - Criminal Possession Dangerous Drugs With Intent To Distribute ...
45-9-206(1) - Use Or Possession Of Property Subject To Criminal Forfeiture
45-9-102(1) - Criminal Possession Of Dangerous Drugs

Dated this Thursday, April 07, 2022

OFFICER SIGNATURE:

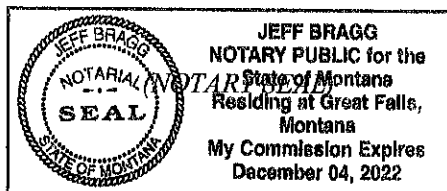
BADGE NUMBER/OFFICER NAME:



233 - Scheer, Steven

NOTARY SIGNATURE:

SUBSCRIBED AND SWORN to before me this 7 day of April, 2022.



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

My commission expires: Dec 04, 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 _____, 2022.

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"/>
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