FILED
02/14/2024
Peg L. Allison
CLERK
Flathead County District Court
STATE OF MONTANA
By: Sara Smith
DC-15-2018-0000172-IN
Wilson, Dan
31.00

Travis R. Ahner, County Attorney
OFFICE OF THE COUNTY ATTORNEY
Flathead County, Montana
820 South Main
Kalispell, MT 59901
Telephone: (406) 758-5630
Attorneys for the State of Montana

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF FLATHEAD

STATE OF MONTANA, Plaintiff, vs. **ANDREW JAMES CORLESS,** Defendant.	Cause No.: DC-18-172D **PETITION FOR REVOCATION OF SUSPENDED SENTENCE**

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The Defendant is currently serving a ten (10) year suspended sentence for the offense of Sexual Abuse of Children, a Felony. The Defendant's probation officer, Sam Stricker, has filed with this Court a Report of Violation dated February 9, 2024, alleging that the Defendant has violated the conditions of his suspended sentence in a number of respects.

The State accordingly requests that this Court issue a warrant for the Defendant's arrest and that he be required to appear and show cause why his suspended sentence should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

DATED this 14th day of February, 2024.

OFFICE OF THE COUNTY ATTORNEY
Flathead County, Montana

By: /s/ Travis R. Ahner,
County Attorney

	PROBATION AND PAROLE **REPORT OF VIOLATION**
Date of report:	02/09/2024
Report to:	The Honorable Dan Wilson
Judicial District:	Eleventh Judicial District, Flathead County
Offender name:	**CORLESS, Andrew James**
DOC ID number:	3025564
Docket number:	DC-18-172
Offense:	Sexual Abuse of Children (F)
Sentence:	10 Years MSP SS
Date of sentence:	December 20th, 2018
Date of expiration:	November 23rd, 2028
Present address:	Flathead County Detention Center
Status:	Probation

Legal and Placement History

On November 8th, 2018 the Defendant appeared before the Honorable Dan Wilson in the Eleventh Judicial District Court, Flathead County, Montana and plead guilty to Sexual Abuse of Children.

On December 20th, 2018 the Defendant appeared for sentencing and the court imposed a ten-year suspended commitment to the Montana State Prison.

Alleged Violation(s)/Supporting Evidence

Count I: Court/Parole Condition: H: Compliance with all laws and ordinances (If other, specify:) Violation Type: Non-Compliance

Supporting Evidence: On or about January 3rd, 2024 Mr. Corless failed to conduct himself as a good citizen by viewing and possessing child pornography. Flathead County Sheriff's Office received a National Center for Missing and Exploited Children Cybertip indicating Mr. Corless was accessing child pornography. A search warrant was later approved and at least twenty-two videos depicting child pornography were located. I spoke with Mr. Corless regarding this information and he admitted he had in fact accessed and downloaded child pornography starting around three months ago and last occurring last week.

Count II: Court/Parole Condition: Other: (If other, specify: Pornography) Violation Type: Compliance

Supporting Evidence: On or about January 3rd, 2024 Mr. Corless accessed, viewed, and downloaded child pornography. Mr. Corless admitted to this conduct on February 7th, 2024.

Case Management Responses Utilized

The following appropriate interventions and incentives applicable to offender's individual needs were utilized on the given date(s):

Brief summary:

This report contains non-compliance violations, case management responses are not appropriate.

Adjustment to Supervision

☐ Offender is an absconder: Offender has deliberately made offender's whereabouts unknown to this Probation and Parole Officer and/or failed to report for the purposes of avoiding supervision. The following reasonable efforts were made to locate the offender and have been unsuccessful:

- ☐ Attempted contact at residence:
- ☐ Attempted employer contact:
- ☐ Attempted phone contact:
- ☐ Other attempts:

Andrew James Corless began supervision with Kalispell Probation and Parole after being sentenced to a ten-year suspended prison commitment. He was already involved in treatment with Andy Hudak, had a stable residence, and had employment. In May 2019, a home visit was conducted showing no issues. In February 2020, a verbal reprimand was given after Mr. Corless admitted to watching adult pornography. In May 2021, a home visit was conducted showing no violations. In June 2022 Andy Hudak reached out indicating Andrew had not turned in any homework in about a month, he was counseled on this issue. In July 2022, I met with Andy Hudak to discuss Andrew's treatment progress and he indicated he was doing fine and was in a homework group to get a better handle on his missed assignments. In June 2023 another home visit was conducted and no violations were discovered. In January 2024 I met with Andy Hudak to discuss Andrew's treatment and he indicated Andrew was graduating to aftercare and was doing well.

Overall, Mr. Corless did not have any major violations prior the filing of this report, he generally complied with his requirements of sex offender treatment other than missing homework on a few occasions. He recently graduated into aftercare but given the allegations in this report, I have been informed by Andy Hudak he would be facing some consequences in his treatment program, at the very least returning to primary care.

Recommendations

☒ Street Time Credit: 60 Months (subtracted one month due to pornography use)

I respectfully recommend the Defendant be committed to the Montana State Prison for a period of ten years. Mr. Corless has recently graduated into aftercare treatment but has continued to access child pornography. Mr. Corless did not use his support system and treatment program to resist the urge to access this child pornography. Mr. Corless will benefit from the Montana State Prison Integrated Correctional Program Model (MT-ICPM) treatment prior to release back into the community.

Witnesses

Sam Stricker, Probation and Parole, Kalispell, MT

Respectfully submitted,

Sam Stricker

Probation and Parole Officer Signature

Probation and Parole Officer Name:	Sam Stricker
Address:	121 Financial Drive, Suite A, Kalispell, MT 59901
Telephone number:	406-752-2864
Email address:	sstricker@mt.gov

CERTIFICATE OF SERVICE

I, Travis R. Ahner, hereby certify that I have served true and accurate copies of the foregoing Petition to Revoke - Petition to Revoke to the following on 02-14-2024:

Nicholas Aemisegger (Attorney)
723 5th Avenue East, Suite 100
Kalispell MT 59901
Service Method: eService
E-mail Address: NAemisegger@mt.gov

Electronically signed by Jennifer Matson on behalf of Travis R. Ahner
Dated: 02-14-2024