FILED
01/13/2023
Peg L. Allison
CLERK
Flathead County District Court
STATE OF MONTANA
By: Michelle Davis
DC-15-2021-0000464-IN
Wilson, Dan
34.00

MONTANA DEPARTMENT OF CORRECTIONS
ADULT PROBATION & PAROLE

REPORT OF VIOLATION

REPORT TO:	The Honorable Dan Wilson	**DATE:**	01/11/2023
JUDICIAL DISTRICT:	Eleventh Judicial District, Flathead County, Montana		
NAME:	Dryden, Clayton Earl	**DOC ID #:**	3031985
DATE OF SENTENCE:	03/03/2022	**EXPIRATION DATE:**	01/21/2027
DOCKET #:	DC 21-464		
OFFENSE:	PFMA - Strangulation (F)		
SENTENCE:	Five (5) years DOC, with 5 years suspended		
PRESENT ADDRESS:	Gallatin County Detention Center		
STATUS:	Probation		

LEGAL AND PLACEMENT HISTORY

On March 3rd, 2022, the Defendant appeared before the Honorable Dan Wilson after previously pleading guilty to Partner Family Member Assault, Strangulation, a felony. The Defendant received a five (5) year sentence to the Department of Corrections with all five (5) years suspended.

Since that time the following alledged violations have occurred.

ALLEGED VIOLATION(S)/SUPPORTING EVIDENCE

COUNT I: Court/Parole Condition #8 Compliance with all laws and ordinances NON-COMPLIANCE Violation

SUPPORTING EVIDENCE: The Defendant was required to comply with all laws and ordinances. On 01/09/2023 the Defendant was involved in an altercation with his wife where he struck her multiple times, burned her with a cigarette and strangled her. The victim's injuries were consistant with her statements. Gallatin County Deputy Sella cited the Defendant with PFMA - Strangulation (F), and booked him into the main jail.

CASE MANAGEMENT RESPONSES UTILIZED

☒ Non-Compliance Violation does not require exhaustion of the MIIG.

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

☐ Written reprimand:	date(s) used	☒ Verbal reprimand:	03/25/2022, 5/13/2022, 08/30/2022, 11/17/2022
☐ Increased reporting/contacts:		☒ Increased UA/BA:	08/30/2022
☐ Restricted associations:		☐ Curfew:	
☐ Enhanced Supervision Program:		☐ Community service:	
☐ Intensive Supervision Program:		☐ Day Reporting:	
☐ Electronic Monitoring:		☐ Treatment Court:	
☐ 24/7 Sobriety Program:		☐ Mental health TX:	
☐ Chemical dependency TX:	03/11/2022, 07/08/2022	☒ Jail sanction:	07/03/2022
☐ Intervention Hearing(s):		☒ Other programming:	03/11/2022, 07/08/2022 (Batterer's Intervention Course)

Brief summary:

Multiple case management responses have been utilized in the past in order to gain compliance from the Defendant. He has shown time and time again that he is unable to attend his outpatient treatment, batterer's intervention classes, and scheduled meetings with me.

The Defendant has since committed a non-compliance violation, and no further case management responses are appropriate.

ADJUSTMENT TO SUPERVISION

The Defendant has had a poor adjustment to supervision since being sentenced in March of 2021. He has been referred to various outpatient treatment facilties (03/11/22, 07/08/22) where he was discharged for lack of attendence and consistant methamphetamine use, He has had multiple unsuccessful referalls with John Buttram for his batterer's intervention classes (03/11/22, 07/08/22) and each time proved he was inconsistant with attendance and participation. He is unwilling to hold steady employment, working various spot jobs for quick cash. He has failed to obtain stable residency, often times remaining homeless and sleeping out of his vehicle.

Throughout the course of his short stint on supervision, multiple chances were given in order to gain compliance. On 01/05/2023, an opportunity presented itself to get the Defendant and his family a residence in Three Forks, Montana. With a stable residence, potential job opportunity, and reliable child care a transfer to the Bozeman P&P office was iniated. On 01/06/23, the Defendant was granted permission to travel down to Three Forks.

On 01/09/2023, an altercation occurred in Three Forks involving the Defendant and his wife. Gallatin County Deputy Mitchell Sella arrived on scene to investigate. Throughout the course of his investigation it was determined the Defendant was invovled in an incident with his wife where he alledgedly "punched her, slapped her, pulled her hair, kicked her, burned her with a cigarette, and strangled her." The victim had a swollen right eye, burn marks from a cigarette, and redness around her neck. The victim was unsure if she lost consciousness however admitted she had urinated herself and felt light headed afterwards. The victim stated, "she was scared and felt worthless."

It should be noted the Defendant is currently on supervision for strangulation, a felony, with the conviction being less than a year ago. This most recent offense is once again, violent in nature, with the original victim in this manner. The Defendant has not proven to the court he is capable of functioning as a citizen in society. He has continued to hurt those closes to him and chose to not get the help he desperately needs.

RECOMMENDATIONS

☒ Street Time Credit: None

I recommend the Defendant appear before the court to address the alledged violations. If the court findes he violated the conditions of his sentence, I recommend his suspended sentence be revoked and he be placed at the Montana State Prison for the duration of his sentence.

WITNESSES

Garrett Frechette, Adult P&P
Mitchell Sella, Gallatin County Sheriff's Office

Respectfully submitted,

Probation & Parole Officer Signature

Probation & Parole Officer Name: Garrett Frechette
Address: 121 Financial Drive, Suite A, Kalispell, MT
Telephone Number: (406) 589-9680
Email: Garrett.frechette@mt.gov

cc:

CERTIFICATE OF SERVICE

I, Tina Cheman, hereby certify that I have served true and accurate copies of the foregoing Report to the Court - Report of Violation to the following on 01-13-2023:

Alison Elane Howard (Govt Attorney)
820 South Main
Kalispell MT 59901
Representing: State of Montana
Service Method: eService

Electronically Signed By: Tina Cheman
Dated: 01-13-2023