

## **Victims of Montana triple homicide include 3-year-old girl**

July 1, 2020

KALISPELL, Mont. (AP) — A Montana man suspected of killing his estranged wife, their daughter and another man before killing himself previously told his wife he was “going to murder” her this summer, according to an order of protection the woman sought in late May.

Kameron Barge, 39, of Whitefish broke into Emily Mohler’s house near Olney early Tuesday and stabbed her, their 3-year-old daughter Piper and Cody Nevins, 41, Flathead County Sheriff Brian Heino said Wednesday.

Barge and Mohler’s 8-year-old daughter was able to run to the house of a neighbor who called 911.

Barge was found dead of a self-inflicted gunshot wound about a half-mile from his pickup truck, which he had driven away from the house, Heino said.

Barge and Mohler, 42, had been scheduled to appear in court later Tuesday for a hearing on the dissolution of their marriage, the Flathead Beacon reported.

Mohler had filed for three orders of protection against Barge in the past year, the most recent on May 26.

In the application, Mohler said Barge had physically assaulted her in front of the couple’s two children on May 25. During the attack, she said, Barge grabbed her hoodie, twisted it tightly around her neck and threw her to the ground.

He told her he was going to kill her this summer and that she “had no idea the wrath he was going to inflict,” the document states.

Mohler also said Barge had in the past fractured her skull, killed the couple’s kitten by throwing it against a wall and had engaged in years of verbal abuse.

Law enforcement officers had previous contact with Barge and Mohler regarding domestic abuse, Heino said.

The oldest child is in the care of Child Protective Services.

# A year after a tragedy, domestic violence looms large over Flathead County

SharePrint



Emily Mohler and her daughter, Piper, share a happy moment in this photo provided by their family. Both were stabbed to death on June 30, 2020, by Mohler's estranged husband, Kameron Barge.

By KIANNA GARDNER And CHAD SOKOL Daily Inter Lake

| June 12, 2021 11:00 PM

*Editor's note: This story is one in a series examining domestic violence in the Flathead Valley.*

Piper Mohler was only 3 when she began taking after her mother. She was feisty and sported a head of unruly ringlets, just as Emily did when she was that age.

"You could barely get a comb through it," recalled Piper's grandmother, Jan Mohler, who believes the toddler also would have grown to adopt her mother's creativity, free spirit and fierce independence.

But Piper's chance to grow up, and her mother's chance to experience it, were taken away nearly one year ago, when Emily's estranged, abusive husband stabbed them to death, along with Emily's friend Cody Nevins, at a residence in Olney. The assailant, Kameron Barge, shot and killed himself shortly afterward.

Emily Mohler was 42. Nevins was 41. Piper never saw her fourth birthday. And the Mohler family wonders what local officials might have done differently to stop Barge, 39, from carrying out his deadly tirade.

"This abuse had been going on for years," Jan Mohler said. "Everyone seemed to know about her situation and this still happened. The people involved in her case should have all been aware that things were escalating."

Today, after months of grieving, the Mohlers are hosting a gathering at the Stillwater Bar in Olney in remembrance of Emily and Piper. Tom Petty's "Wildflowers" will be played for Emily, who once said she wanted the song played at her funeral, and "Somewhere Over the Rainbow" will be played for Piper.

First and foremost, it's an opportunity to remember them.

"We can't call it a celebration of life, because there isn't anything celebratory about what happened," Jan Mohler said. "Instead, it's a chance for friends and family to come together and share different memories. There is no time limit on grief. You don't ever get over losing a child or a grandchild. I move forward with the hope I'll see them again in heaven."

The gathering also serves another purpose. The Mohlers want to remind people that domestic violence is an epidemic with deep roots in many Montana communities — one that demands more resources and attention.

"I believe everyone needs to be more informed about domestic violence and abuse," said Isaac Mohler, one of Emily's brothers, who acknowledged he didn't fully understand the cycle of abuse before it claimed his sister's life.

"What Kameron did is textbook of what other abusers have done, step by step," he said. "It's a Montana problem. It's a national problem. And these victims need a lot of support."

THE MURDERS shocked the community, not only for their brutality but for the documented history of abuse that led up to them. And while they were an outlier — the vast majority of abusive relationships do not end in homicide — the killings show what can happen when cases fall through the cracks of the local justice system.

Past instances of abuse and two petitions for protection orders had placed Emily Mohler's troubled relationship on the radar of the Flathead County Sheriff's Office and county prosecutors.

Court documents show that in years past, she had reported that Barge beat her and fractured her skull, killed a kitten by throwing it against a wall and threw baited mouse traps at his daughters, among other transgressions. A month before the murders, she told deputies he had tried to strangle her with a hooded sweatshirt, and that he said he would kill her that summer.

"The fact that she said all of that and that no one called them in for questioning says a lot. She needed protection," Jan Mohler said. "I think Emily felt like she did everything she could and it wasn't enough."

The case exposed lapses in communication between the sheriff's office and the county attorney's office, leaving some to wonder why four deaths were not prevented. Frank Garner, a Republican state representative and former Kalispell police chief, told a legislative committee in March that the killings revealed "a number of system failures."

Jan Mohler said she doesn't blame any one person or department for the deaths of her daughter and granddaughter, but she wants to know that local

officials are working to improve how they respond to domestic violence and support victims.

Although assaults by intimate partners and family members take up a large share of law enforcement time and resources in Flathead County, victim advocates say there is still a dearth of available resources, as well as a lack of urgency among local officials.

"This is one of the most pressing problems in our state and nationally, and it does not receive that type of response anywhere," said Hilary Shaw, executive director of the Abbie Shelter in Kalispell, the county's primary resource for domestic violence survivors. "It's an issue that is overwhelming almost every part of the system, but the time and energy invested into helping it doesn't match that. That's the case on the local level, and at the state."

BEFORE THE pandemic, Flathead County Attorney Travis Ahner and Sheriff Brian Heino had been meeting regularly with other professionals to discuss domestic violence cases in the valley. The goal was to foster teamwork and coordination among various agencies.

But Ahner said those talks stopped happening as regularly some 18 months ago, largely because people began working remotely.

"We had a few prosecutors, the sheriff, a deputy, an Abbie Shelter representative and our victims' advocate, and we would all get together weekly before the pandemic. We would review our responses to incidents and critique what had happened," Ahner said. "Those regular in-person meetings still haven't picked back up. It's now sort of a loose connection and conversations that happen virtually, but it seems to be at least getting the job done."

Previous efforts to foster a team-based, multidisciplinary response to domestic violence in the valley have floundered, too. Garner, the former Kalispell police chief, assembled a domestic violence response team some 15 years ago, but it folded several years later when its grant funding ran out.

Emily Mohler's case did prompt some improvements. The sheriff's office is gaining a new victim advocate to fill the vacancy left by longtime advocate

**Janiece Hamilton, who retired a few months after the killings. And two more advocates are starting at the Abbie Shelter.**

**The shelter had to eliminate a mental-health position to bring on one of the victim advocates and is wrapping up fundraising efforts for the other.**

**"We realized we couldn't wait any longer for these advocates to materialize elsewhere," Shaw said, adding that in most other parts of the state, victim advocates are on a county payroll.**

**Under ideal circumstances, Shaw said Flathead County would have a second advocate as well, though she believes three can handle local caseloads if lines of communication improve between the shelter and the county.**

**LAST SUMMER'S tragedy also prompted Garner, who has been a lawmaker since 2015, to introduce a bill that expands the use of electronic monitoring of people charged with the most serious domestic violence crimes.**

**Such monitoring enables law enforcement to track suspects' locations and respond if they travel out of bounds under protection orders. And it can alert victims if their abusers get too close to their homes or workplaces.**

**Garner's House Bill 449 passed the Legislature with nearly unanimous support. In many cases, the new law will increase the likelihood that a domestic violence suspect is monitored using a GPS bracelet while out of jail and awaiting trial.**

**State law now includes a "rebuttable presumption" that electronic monitoring should be included as a condition of pretrial release in jurisdictions where the technology is available, meaning a judge would require monitoring by default unless the defense successfully argues against it.**

**"This keeps judges in ultimate control of that decision but places a burden on the offender of having to explain why they shouldn't be released on monitoring," Garner has said.**

**The presumption applies only for certain felony charges deemed the strongest predictors of future abuse or homicidal behavior, including**

**assault or strangulation of a partner or family member, stalking and violations of protection orders.**

"When it comes to electronic monitoring, I think the next step for us is to find the funding resources to expand this across the state," Garner said in an interview. "I think the other thing that we can look at is the resources that we put into programs, whether it be counseling or others that have an impact on recidivism. And I think the other thing is, how do we make sure that victims have all the resources they need to keep themselves safe, and make decisions that don't put them in these kinds of conditions."

**THE NEW law and the new victim advocates in Flathead County are promising steps, but there is still much work to be done.**

**At the state level, the Montana Domestic Violence Fatality Review Commission — a panel of 20 experts from various disciplines appointed by the state attorney general — reviews domestic homicide cases across the state, searches for patterns and identifies gaps in the system for preventing and responding to abuse.**

**A few of the commission's recommendations have been implemented since its first biennial report was issued in 2005.**

**In 2015, for example, the commission recommended Montana adopt a law making strangulation of a partner or family member a felony offense. Prosecutors had been charging strangulation suspects with aggravated assault, but the bar for achieving convictions was high.**

**The Legislature moved quickly, and in 2017 Montana became the 45th state to adopt a felony strangulation statute. Nearly 200 people were charged under the new law within a year of it taking effect.**

**"Now, with the ability to arrest and charge an offender with felony strangulation, Montana's criminal justice system is saving lives," the commission said in its 2019 report.**

**But other recommendations by the commission have not been implemented statewide.**

Those proposals include more robust data gathering, more law enforcement training focused on interactions with victims, more therapy and intervention programming for batterers, a sharper focus on domestic violence in Native American communities, and the widespread use of lethality assessments — questionnaires for victims that help determine whether an abusive relationship might turn deadly.

Garner said all Montana communities must "continue to look for ways to try to improve our response and coordinate our resources" to address domestic violence.

"The status quo is unacceptable," he said. "This is a threat to our citizens and our communities and our way of life. And until it's eliminated, we have to be outraged and find it unacceptable."

He added: "It can't just be a conversation we have after a tragic event."

Get help: If you are facing domestic abuse or know someone who is, call the Abbie Shelter's 24-hour helpline at 406-752-7273, or reach the National Domestic Violence Hotline at 1-800-799-SAFE.

*Correction: This story has been updated to correct the manner in which Emily and Piper Mohler and Cody Nevins were killed.*

*Kianna Gardner may be reached at kgardner@dailyinterlake.com. Assistant editor Chad Sokol may be reached at 406-758-4439 or csokol@dailyinterlake.com.*

# UPDATED: Homicide Victim Detailed History of Domestic Violence in Court Filings

Emily Mohler described years of abuse and violent threats made by her estranged husband, Kameron Barge, who allegedly killed Mohler, the couple's 3-year-old daughter and a 41-year-old man in Olney early on the morning of June 30

BY ANDY VIANO JULY 1, 2020



Sheriff's vehicle. Beacon file photo

A Whitefish man is suspected of murdering his estranged wife, their 3-year-old daughter and another man on the morning of Tuesday, June 30, the same day the couple was due in court to resolve an ongoing divorce proceeding that included allegations of repeated domestic abuse.

According to Flathead County Sheriff Brian Heino, Kameron Barge, 39, entered a home in Olney in the early morning hours of June 30 and stabbed 42-year-old Emily Barge, who went by Emily Mohler and was in the process of changing her name, as well as 3-year-old Piper Barge and 41-year-old Cody Nevins to death.

Barge and Mohler's 8-year-old daughter was also in the home at the time of the killings but escaped to a neighbor's house, where the neighbor called 911. Deputies from the Flathead County Sheriff's Office arrived at the home around 7 a.m. Barge's vehicle was discovered about a mile from the crime scene where he was found nearby, dead from an apparent self-inflicted gunshot wound.

Heino released a statement on Wednesday calling the murders a "heinous crime."

"Our thoughts and prayers go to the family," he continued. "This has shocked our staff, our community and has left more questions than answers. I ask that the community support the family. The loss of any loved one is hard, but the loss of a child and a family is unexplainable."

Mohler had filed for three orders of protection against her husband in the last year, alleging a sordid history of verbal and physical abuse, and a permanent order of protection was in place at the time of her killing, Heino said. Heino added that his office has had previous contact with the couple related to domestic violence. Mohler and Barge were scheduled to appear in Flathead County District Court at 1:30 p.m. on the day of the homicide for a hearing on the dissolution of their marriage.

In a petition for a temporary order of protection filed on May 26, Mohler accused her husband of physically assaulting her in front of the couple's two children one day earlier. In the attack, Barge allegedly grabbed Mohler's hoodie, twisted it tightly around her neck and threw her to the ground. He then told Mohler he was "going to murder (her) this summer" and that she "had no idea the wrath he was going to inflict on (her)."

In the May 26 filing and prior petitions, Mohler outlined a litany of other allegations from her and Barge's years together, including that Barge had fractured her skull, that he had

attempted to rape her, and that he had once killed the couple's kitten by throwing it against a wall. She also accuses Barge of "years and years of verbal abuse." The couple was married in 2014. Mohler filed for divorce in August 2019.

Mohler worked as a photographer and goldsmith, and her family has deep roots in the Flathead Valley.

Two fundraisers have been set up to benefit those left behind by the murders. A fundraiser for Emily Mohler's family (<https://www.gofundme.com/f/emily-mohler039s-childrens039-fund>) had raised more than \$31,000 as of July 2 and a second fundraiser was established for the family of Cody Nevins: <https://www.gofundme.com/f/in-memory-of-emily-piper-and-cody>.

If you or someone you know is the victim of domestic violence, the Abbie Shelter operates a 24-hour crisis helpline at (406) 752-7273. Additional information can be found at [www.abbieshelter.org](http://www.abbieshelter.org).

# **It's time for change in helping domestic violence victims**

| April 4, 2021 12:00 AM

**Most of us will never know the danger and paralyzing fear of being on the receiving end of domestic violence. The victims well know, however, about living day-in and day-out with not only the threats but also the actual physical and mental abuse of domestic violence that often festers for years.**

**It's naive to think domestic violence is not a problem here. We need only remember one terrible day last summer when we learned about the tragic deaths of Emily Mohler, 42, her 3-year-old daughter and Mohler's 41-year-old friend, all stabbed to death in rural Olney by Mohler's estranged husband, Kameron Barge.**

**Those horrific deaths were the impetus for Kalispell lawmaker Frank Garner to sponsor a bill that could expand the use of electronic monitoring of people charged with certain domestic violence and stalking crimes. It's a small but significant step, advocates say, toward protecting victims from further abuse and even death.**

**Garner alluded to the Olney tragedy as he told the Senate Judiciary Committee recently that his bill, House Bill 449, could help prevent domestic violence from turning deadly.**

**"There were a number of system failures in that [Olney] event that have brought about systematic changes in our local criminal justice system" Garner told the committee. "But one of the issues that was identified was the need, in similar cases, to use available technology to provide for victim safety."**

**The bill would enable judges to impose electronic monitoring of domestic violence suspects by default unless the defense successfully argues against it.**

**We should note that if Montana had such legislation on the books, it would not have helped Mohler, since her killer hadn't been charged with a felony. But HB 449 is an important step in offering better protection to the victims of domestic abuse. Passing this legislation should be a no-brainer for our lawmakers.**

**Another important change afoot in helping domestic violence victims is the Abbie Shelter's plan to hire both a community advocate and a court advocate who will help domestic violence victims better navigate the court system and connect with resources in the valley.**

**The hope is that these new advocates will fill in some missing gaps in the system and streamline communication among stakeholders, including the court, the county attorney, law enforcement and resources such as the Abbie Shelter.**

**It's time to do better for domestic violence victims. HB 499 and the addition of victim advocates in the Flathead Valley are two steps in the right direction.**

# How a new law aims to help Montana victims of violence

How a new law aims to help Montana victims of violence

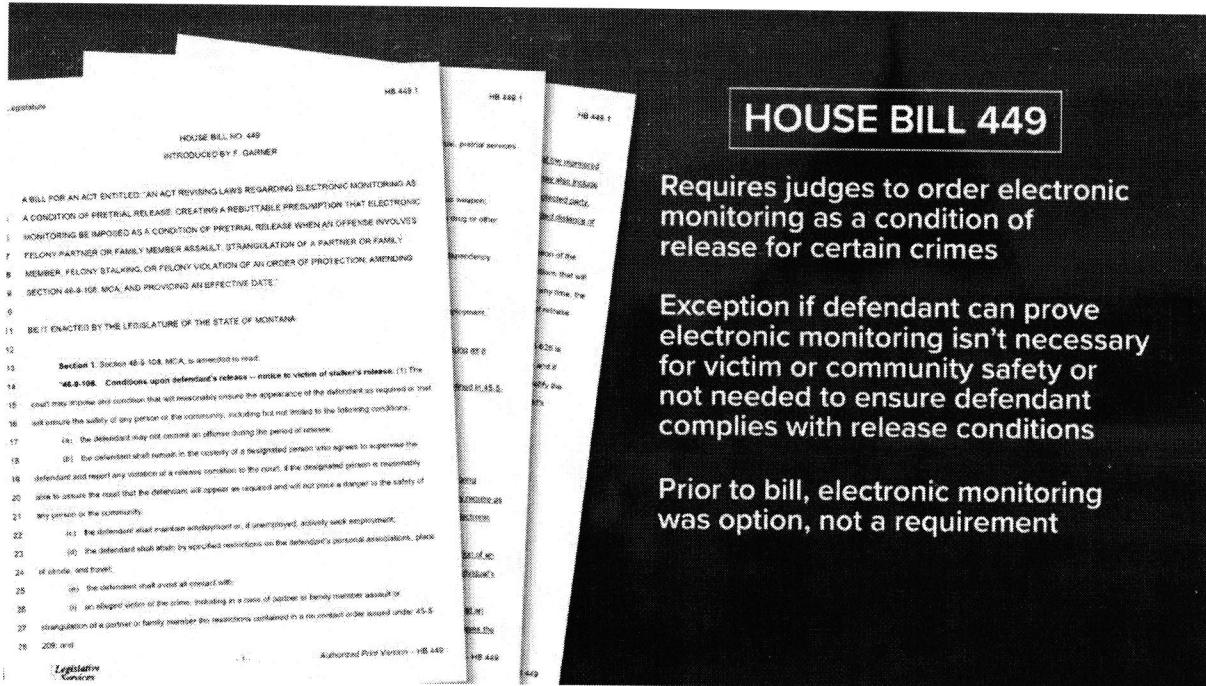
*Posted at 10:43 AM, Jul 29, 2021*

*and last updated 10:48 AM, Jul 29, 2021*

GREAT FALLS — New legislation went into effect on July 1st in Montana, aimed at giving victims of violence a little more peace of mind. [House Bill 449](#), sponsored by Representative Frank Garner, revised laws about electronic monitoring as a condition of pre-trial release.

The 2021 Montana Legislature approved the bill requiring judges to order electronic monitoring as a condition of release for certain crimes like felony partner/family member assault, strangulation, felony stalking, or a felony violation of a protection order.

The exception is if a defendant can prove electronic monitoring isn't necessary for the victim or community's safety, or it's not needed to ensure the defendant complies with release conditions. Prior to this bill, electronic monitoring was an option, not a requirement.



House Bill 449 also expands victim notification of a defendant's GPS violations.

Thousands of Montanans are affected by violence every year, even though it's an issue many either don't want to address or are afraid to discuss publicly.

"Not a lot of people want to talk about the issue of domestic violence, sexual assault, stalking, however the problem is continuing to rise," explained Nichole Griffith, the director of Victim Witness Assistance Services in Great Falls.

Victim Witness Assistance Services works with law enforcement and the courts to provide free and confidential services to crime victims in Cascade County. According to Griffith, the organization typically gets more than 30 cases a month, with most of those cases related to domestic violence.

According to a Montana Department of Justice [report](#), law enforcement responded to more than 4,000 cases of domestic violence in 2019, equating to an act of domestic violence reported every 2.5 hours on average.

It's a problem that's only gotten worse during the Covid-19 pandemic, both in Montana and across the nation.

"We've seen a dramatic increase in domestic violence related charges among other things," said former District Court Judge Greg Pinski.

Pinski spent nearly eight years as a judge, and provided background information to the bill's sponsor. According to Pinski, House Bill 449 was voted on eight times throughout Montana's 2021 legislative session. He said there was only one opposition vote and that came during the first House committee vote. The vote later changed, and the bill passed the House and Senate unanimously, which Pinski called a rare legislative feat. He referred to the bill as a groundbreaking step forward in the law.

"This legislation is a recognition of the impacts these crimes have on victims," Pinski said.

It's a topic that's close to his heart, not just from him time on the bench, but also from personal experience. "I've been a victim of stalking myself and so I know the psychology and the emotional impact that that can have on a victim. To always be uncertain, to have that trauma that's associated with someone interfering with your life," Pinski shared.

Great Falls resident Amanda Scott knows about domestic violence and GPS monitoring as well. Around seven years ago, her then 13-year-old daughter was assaulted. “Based on what happened with her, the cops were called, the individual was arrested, we went and we filed a restraining order, however she was still very nervous and afraid and worried. As a condition of his bond, they did do the GPS monitoring for him,” explained Scott.

Her situation made her a big advocate of GPS monitoring. “As a mom, you at that moment you want to be there every step of everyday for them to make sure they’re safe and protected and unfortunately I couldn’t do that. She had to go to school, I had to go to work, she had things that she had to do, and I had to know that she was safe. GPS provided me with that feeling of security so that even if I couldn’t be with her during that point in her day, that I knew that there was still something in place that would protect her when I couldn’t be there,” Scott said.

However, GPS monitoring has its flaws, as noted by Scott. “I’m able to talk about this and say how important it is and I’ll be the first one to tell you ours wasn’t the fairytale story,” Scott explained.

Scott said the person who assaulted her daughter eventually cut off the monitoring device and absconded. He was later caught by law enforcement in another state and was held accountable.

“The time frame that he was under the GPS monitoring was something that I don’t think we would’ve had the peace of mind without that and so I’m thankful for the time we did have that,” said Scott.

House Bill 449 now also expands victim notification to provide real time information about an offender's violation of bail conditions and more. According to Pinski, there was no statutory recognition of a victim's right to receive notification of a defendant's GPS violations prior to this new law.

"So for instance you program in a victim's address, or their workplace or their school and if you have for instance a 1,500 square foot radius around there, if the offender came within that particular zone, then the victim can be notified as well as if the offender comes within the proximity of the phone itself," explained Pinski.

Pinski, along with Cascade County Sheriff Jesse Slaughter see additional benefits of the new law for detention facilities and taxpayers.

"The other thing it could potentially do in the future moving forward is it reduce jail population and jail overcrowding for those pretrial offenders," explained Sheriff Slaughter.

The burden of paying for GPS monitoring falls on the defendant. The new law states "if electronic monitoring is imposed, the court shall specify who shall provide the monitoring services and the terms under which the monitoring must be performed. On conviction, the court may require as a condition of the sentence that the defendant reimburse the providing agency for the costs of the electronic monitoring."

"They all have a constitutional right to bail. Everybody who is charged with a crime is innocent until proven guilty, there's two sides to every story. However, we do have to ensure we maintain public safety during

that transition, and I think this is a good step,” Sheriff Slaughter explained.

The biggest focus however of House Bill 449 is the added protective measures for victims.

“Whatever we can do to reduce that level of fear or concern for the victim’s safety is a great step forward,” Pinski said.

“It’s going to give people that peace of mind that other things can’t,” explained Scott.

A company called SCRAM Systems is one of the main producers of electronic monitoring and software that’s used by law enforcement and the criminal justice system. The technology allows for alcohol monitoring, as well as GPS tracking and victim notification. According to SCRAM Systems spokesperson Shauna Rusovick, Scram currently has 1,166 active clients in Montana. Of those, 286 are specifically using SCRAM GPS, the other 880 and clients using alcohol monitoring, remote breath, or house arrest technology.

**If you or someone you know is experiencing domestic violence, the National Domestic Violence Hotline is available 24/7 at 1-800-799-7233.**

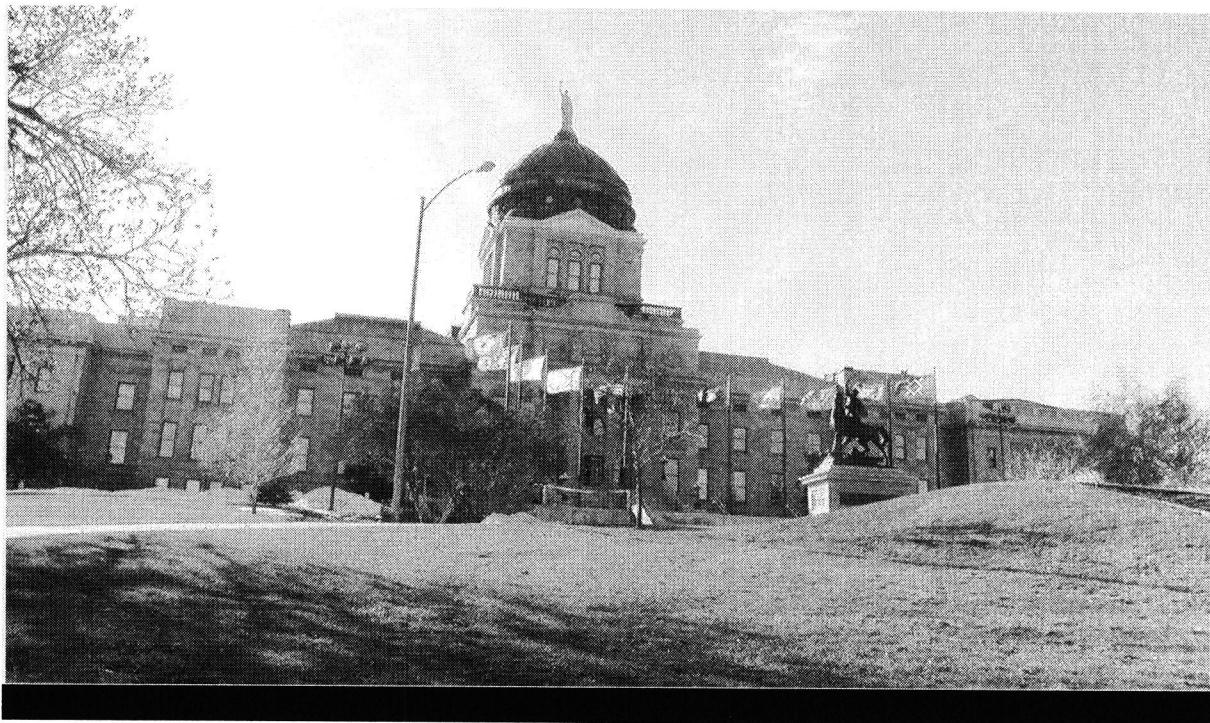
[Click here](#) to see the Victim Witness Assistance Services report for January 1, 2021 through July 21, 2021 (PDF).

**Montana bill seeks to revise domestic violence laws, require electronic monitoring**

---

by Vanessa Perez

March 16th 2021, 6:22 PM MDT



*Montana state capitol in Helena. (Photo: NBC Montana)*

KALISPELL, Mont. — Montana House Bill 449 is designed to raise the bar on requiring electronic monitoring of individuals that have been charged with felony partner or family member assaults.

The Department of Justice reports from 2000 to 2018, 200 Montanans died at the hands of an intimate partner.

HB 449 would revise domestic violence laws. The bill was introduced by State Rep. Frank Garner (R-Kalispell).

"I talked to the family of a woman who was murdered last year in the valley who want to make sure that the tragedy that happened to them doesn't happen to anyone else," Garner said.

Garner is talking about a murder-suicide that happened in Olney in the summer of 2020. Investigators say a woman's ex-husband killed her, her 3-year-old daughter and her boyfriend before killing himself.

Before the homicide, court documents show Kameron Barge, the ex-husband, said he'd kill his ex-wife, Emily Mohler.

Mohler filed a petition for a temporary order of protection about a month before she was killed.

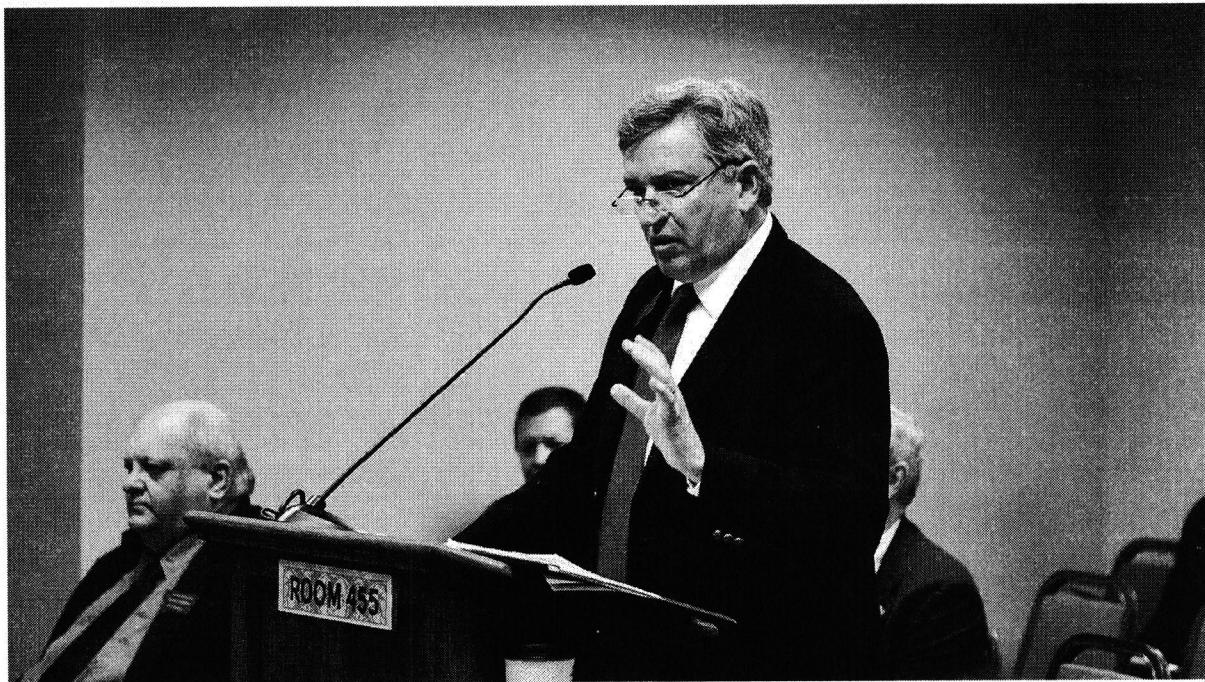
Garner says GPS is already required in some cases, but the bill puts the presumption on the person who's charged with a felony offense. The individual would have to prove why they shouldn't be under electronic monitoring.

HB 449 passed the House and is in the Senate. The bill is set to be heard in a committee later in March.

"We're going to continue to keep trying to advocate for this increase and the need for electronic monitoring and the safety of victims," Garner said.

The Cynthia L. Bischof Memorial Foundation website reports 23 states have GPS monitoring in domestic violence cases laws in place.

# Lawmakers pass bill to expand monitoring of domestic abusers



Rep. Frank Garner, R. Kalispell, pictured here offering bill testimony in 2019. Credit: John S. Adams/MTFP

By **CHAD SOKOL**

Daily Inter Lake | April 12, 2021 3:19 PM

**The Montana Senate on Monday unanimously endorsed a bill that could expand the use of electronic monitoring of people charged with certain domestic violence and stalking crimes.**

**House Bill 449, sponsored by Rep. Frank Garner, R-Kalispell, previously sailed to a 99-0 vote in the House and now is headed to Gov. Greg Gianforte's desk.**

Garner, a former Kalispell police chief, has said the bill could help prevent domestic violence from turning deadly, citing the murders of 42-year-old Emily Mohler, her 3-year-old daughter and a 41-year-old friend in Olney last summer. The assailant was Mohler's estranged husband, Kameron Barge, 39, who killed himself shortly afterward.

Once signed into law, HB 449 would, in many cases, increase the likelihood that a domestic violence suspect is monitored using a GPS bracelet while out of jail and awaiting trial.

The bill would add to state law a "rebuttable presumption" that electronic monitoring should be included as a condition of pretrial release in jurisdictions where the technology is available, which include Flathead County. In other words, a judge would require monitoring by default unless the defense successfully argues against it.

"This keeps judges in ultimate control of that decision but places a burden on the offender of having to explain why they shouldn't be released on monitoring," Garner told the Senate Judiciary Committee last month.

The presumption would apply only for certain felony charges deemed the strongest predictors of future abuse or homicidal behavior, including assault or strangulation of a partner or family member, stalking and violations of protection orders.

Garner said electronic monitoring enables law enforcement to track suspects' locations and respond if they travel out of bounds under protection orders. And it can alert victims if their abusers get too close to their homes or workplaces.

Representatives of the Montana Coalition Against Domestic and Sexual Violence, the Montana Sheriffs and Peace Officers Association, the Montana County Attorneys Association and the Montana Police Protective Association also spoke in support of the bill. No one spoke against the bill in the Senate.

*Reporter Chad Sokol can be reached at 758-4439 or  
[csokol@dailyinterlake.com](mailto:csokol@dailyinterlake.com)*

# Lawmakers pass bill to expand monitoring of domestic abusers

:

**Chad Sokol, Daily Inter Lake, Kalispell, Mont.**

April 12, 2021 · 2 min read

Apr. 12—The Montana Senate on Monday unanimously endorsed a bill that could expand the use of electronic monitoring of people charged with certain domestic violence and stalking crimes.

House Bill 449, sponsored by Rep. Frank Garner, R-Kalispell, previously sailed to a 99-0 vote in the House and now is headed to Gov. Greg Gianforte's desk.

Garner, a former Kalispell police chief, has said the bill could help prevent domestic violence from turning deadly, citing the murders of 42-year-old Emily Mohler, her 3-year-old daughter and a 41-year-old friend in Olney last summer. The assailant was Mohler's estranged husband, Barge, 39, who killed himself shortly afterward.

Once signed into law, HB 449 would, in many cases, increase the likelihood that a domestic violence suspect is monitored using a GPS bracelet while out of jail and awaiting trial.

The bill would add to state law a "rebuttable presumption" that electronic monitoring should be included as a condition of pretrial release in jurisdictions where the technology is available, which include Flathead County. In other words, a judge would require monitoring by default unless the defense successfully argues against it.

"This keeps judges in ultimate control of that decision but places a burden on the offender of having to explain why they shouldn't be released on monitoring," Garner told the Senate Judiciary Committee last month.

The presumption would apply only for certain felony charges deemed the strongest predictors of future abuse or homicidal behavior, including

assault or strangulation of a partner or family member, stalking and violations of protection orders.

Garner said electronic monitoring enables law enforcement to track suspects' locations and respond if they travel out of bounds under protection orders. And it can alert victims if their abusers get too close to their homes or workplaces.

Representatives of the Montana Coalition Against Domestic and Sexual Violence, the Montana Sheriffs and Peace Officers Association, the Montana County Attorneys Association and the Montana Police Protective Association also spoke in support of the bill. No one spoke against the bill in the Senate.

Reporter Chad Sokol can be reached at 758-4439  
or [csokol@dailyinterlake.com](mailto:csokol@dailyinterlake.com)