From:	Elvis Nuno
To:	Jessica Miller
Cc:	Grp. City Council and City Web Site; countyattorney@missoulacounty.us; tjmcdermott@missoulacounty.us
Subject:	Re: Further follow up demanding immediate response and action
Date:	Friday, September 25, 2020 3:02:39 PM

Jessica,

I just thought I'd follow up and inform the mayor that at the advice of one of my attorney's that as a necessary next step I've reported this matter to the state Division of Criminal Investigation regarding the conduct of Office Ethan Smith and Missoula PD in general.

I really feel it would be in everyone's best interest if this was resolved and acted upon at a local level, but if Missoula PD continues to refuse to take any of my reports of criminal activity (and/or threatening me when I do), refuses to take any action regarding this ongoing criminal activity, and refuses to take any of the formal complaints I file seriously (or even attempt to investigate them), then the only option is to have this addressed at the state level and further very public exposure of these matters.

Despite Sheriff McDermott's entirely unverifiable and ludicrous claim that "Missoula PD police themselves," (an unacceptable "privilege" certainly not extended to any other organization or individual for *obvious* reasons) I shouldn't have to remind anyone it is this exact type of behavior of attempting to sweep matters under the rug, a lack of accountability, and a complete lack of public oversight over Missoula PD that was the primary contributing factor that lead Missoula to being labeled the "rape capital of the country," and prompted federal intervention to resolve.

It should not require such extensive lengths to simply have Missoula PD do their jobs, hold their own ranks accountable, and particularly in this instance hold their "friends" accountable as well. The irreparable damage to my life, my family, the continued aggression, harassment, and defamation of my character (and *especially* the defamation of the community focused non-profit organization I am a part of) *will* *not* *stand* nor can it be allowed to continue... But if absolutely necessary there is no lengths I will not go to in order to see this matter rectified.

Thank you in advance for the appropriate attention in this matter.

Sincerely,

Elvis Nuno

On Thu, Sep 17, 2020 at 15:57 Elvis Nuno <elvis.nuno@gmail.com> wrote:

> Thank you. I appreciate your time and attention to this matter.
> -Elvis
>
> On Thu, Sep 17, 2020 at 15:54 Jessica Miller <MillerJ@ci.missoula.mt.us> wrote:

Dear Mr. Nuno,

I will check in with Mayor Engen and we will get back to you.

Sincerely,

Jessica Miller

Citizen Services Manager

Office of the Mayor

(406) 552-6001

From: Elvis Nuno <elvis.nuno@gmail.com>

Sent: Wednesday, September 16, 2020 10:00 PM

To: Jessica Miller <MillerJ@ci.missoula.mt.us>

Subject: Re: Further follow up demanding immediate response and action

Hello,

I am following up for further information after my conversation with Mayor Engen on the 4th. I am happy to give the Mayor the appropriate time to follow up appropriately regarding this issue, but each day that passes without criminal

charges being filed against E'Lise Chard, and disciplinary actions taken against Officer Ethan Smith both my life and my non-profit organization are at risk of continued harassment and retaliation taken by these individuals. Please let me know when I might

receive a call back. Thank you!

Sincerely,

Elvis Nuno

On Thu, Sep 3, 2020 at 10:26 Jessica Miller <MillerJ@ci.missoula.mt.us> wrote:

What is the best number for Mayor Engen to reach you at?

Jessica Miller

Citizen Services Manager

Office of the Mayor

(406) 552-6001

From: Elvis Nuno <elvis.nuno@gmail.com>

Sent: Thursday, September 3, 2020 10:25 AM

To: Jessica Miller <MillerJ@ci.missoula.mt.us>

Cc: Mayor Staff <StaffM@ci.missoula.mt.us>

Subject: Re: Further follow up demanding immediate response and action

Thank you. That time will work perfectly.

-Elvis Nuno

On Sep 3, 2020 at 08:40, <Jessica Miller> wrote:

Dear Mr. Nuno,

I can make you an appointment to speak with Mayor Engen over the phone. We are not taking in-person

meetings at this time due to the pandemic. It looks like

he has 30 minutes available tomorrow, September 4, at 2:00. If that does not work for you, I could look for a time next week.

Sincerely,

Jessica Miller

Citizen Services Manager

Office of the Mayor

(406) 552-6001

From: Elvis Nuno <elvis.nuno@gmail.com>

Sent: Wednesday, September 2, 2020 8:36 PM

To: Mayor Staff <StaffM@ci.missoula.mt.us>

Subject: Re: Further follow up demanding immediate response and action

Now that your office has done LITERALLY the worst possible thing you could have done, I will absolutely demand someone from your office responds to me via phone, and that I have

an in person meeting with rather immediate order. If I have

to come to your office and sit there until it's abundantly clear I won't be leaving until

this matter is addressed in some timely manner, if that's what it takes that's exactly what I will do. I cannot possibly imagine a worst step that could have been taken,

and if anyone had bothered to read anything about the current situation and actions of the Missoula PD have taken against me and my family, when so much as trying to file a police report, let alone the other horrifyingly traumatic actions of aggression, and

severely damaging actions taken that have damaged my life and professional reputation beyond repair, there is no way in the world anyone would think that having the police call me would some how rectify anything, but instead only serve to make matters worse.

I will call tomorrow. If a response and appointment is not arranged from there I will make the arrangements in person to see this matter is handled appropriately.

-Elvis Nuno

On Wed, Sep 2, 2020 at 15:37 Elvis Nuno <elvis.nuno@gmail.com> wrote:

Your office just had Lt Wade contact me. DO NOT DO THAT! The last time approached Missoula PD THEY PULLED A GUN ON ME. I demand someone from the mayors office contact me IMMEDIATELY!

DO NOT inform the Missoula PD about this as they are

a THREAT TO MY SAFETY AND MY FAMILIES SAFETY.

On Tue, Sep 1, 2020 at 10:49 Elvis Nuno <elvis.nuno@gmail.com> wrote:

The complete lack of response on this is rapidly becoming a more serious problem. I am running a non-profit wireless ISP with the express dedicated mission to help Missoula county

and rural communities throughout the state. I am actively

doing everything I can to better this state, and provide a vital service to rural communities that are in desperate need of a service that will not only highly benefit their struggling local economies, but facilitate children with learning from home, and families

to receive telemedicine services and at-home medical care. This is something that the reputation of which has already been threatened by the aggressors noted in my complaint, and their continued unmitigated harassment. If your respective organizations are

so unresponsive to actual on-going criminal behavior that not only damages my life, the life of my family, but threatens a purely altruistic project that is dedicated to actually assisting the people and communities most in need to help, your collective inaction

will not help your public reputation when more people become aware of the unprofessional, appalling, and vicious behavior of MCPD and the criminal behavior they encourage in close personal friends they support. I am providing the opportunity for *one* of you

to step in, correct these wrongs, and prevent any further criminal activity. If you fail to take advantage of this opportunity your inaction will become implicit support of what these people have done, and continue to do. Legal action will be taken one way

or another to ensure these individuals are held accountable — it’s up to you who takes this initiative.

Sincerely,

Elvis Nuno

On Sat, Aug 22, 2020 at 01:27 Elvis Nuno <elvis.nuno@gmail.com> wrote:

For sake of full transparency this matter has also been escalated to the Montana State DOJ. The longer this matter is allowed to continue and escalate, along with the continued

threats and harassment I continue to receive that shows every

sign of continuing (as it has for over 5 years), I will take further serious legal action. Just as I and my family continue to suffer, I will not allow this matter to be ignored or swept under the rug. It would behoove all of your organizations to pay close

attention, investigate this matter in deep and serious detail, before it becomes a much larger legal issue with a much wider public profile. Thank you in advance for your time and attention in this matter.

Sincerely,

Elvis R Nuno

On Thu, Aug 20, 2020 at 14:19 Elvis Nuno <elvis.nuno@gmail.com> wrote:

For sake of complete transparency this is the initial response from Mr McDermott that is not only insulting, but dismissive, and shows a complete unwillingness to provide assistance

and accountability regarding a police department that

has gone so far as to pull a gun on me when simply trying to report crimes of harassment and death threats. This only further proves the point that our law enforcement is unaccountable, obviously unwilling to “police themselves” (which it is above and beyond

obvious common sense that they have every motivation *not* to do so). Someone, in one of your organizations must step in and take action to see this matter addressed before it further escalates and puts me or my family in any further danger.

-Elvis Nuno

On Thu, Aug 20, 2020 at 14:03 Elvis Nuno <elvis.nuno@gmail.com> wrote:

To further follow up on my previous contacts I wish to provide a further comment:

Being a resident of the city of Missoula I am writing to demand that as members of our law enforcement and prosecutorial organization you adopt a policies

that prioritizes community well-being and redirects attention away from the police, and to the people they are sworn to protect.

Many Montanans may be tempted to think the unique nature of such a vast, yet sparsely-populated state minimizes the likelihood of police brutality in

our small city communities. However, as reported by the Billings Gazette last year, Montana ranked ninth in killings by police per capita. In 2017, the Great Falls Tribune reported Montana police killings reached a total higher than the previous six years.

These figures are alarming, but don’t tell the full story. Under Montana Code § 2-6-102 and Article II, Section 10 of the Montana Constitution, police disciplinary records are exempt from disclosure if there is an "individual privacy interest that clearly

exceeds the merits of public disclosure." Montana police forces operate within a culture of impunity, and as the members of the communities they are supposed to be protecting, we can’t even begin to grasp the scope of their violence. These are all experiences

I have personally experienced.

We are in the midst of widespread upheaval over the systemic violence of policing. Empty gestures and suggestions of “reform” are inadequate and unacceptable.

I am demanding that real change be made to the way this city allocates its resources.

Support for communities in need is necessary now, more than ever. I am demanding that the City Council meaningfully defund the Missoula Police Department.

I join the calls of those across the country to defund the police. I am demanding a budget that adequately and effectively meets the needs of at-risk Missoula residents during this trying and uncertain time. I am demanding steps be taken that supports community

wellbeing, rather than empowering the police forces that tear them apart, as the life of me and my family has been torn apart.

I am again attaching my complaint, which is a mere synopsis of what me and my family has experienced, and posses a full paper trail behind every claim,

and evidence of further abusive acts of power, intimidation, extreme escalation of weaponizing the legal system against me without the slightest probable cause (or otherwise fabricating probable cause). My family and I will not allow these matters to be swept

under the rug, and will take every action to see that the two individuals are held accountable, and see to it that the threat of further retaliation is completely put to an end. As generational upstanding and prominent members of the Missoula community we

will not live in fear of these people and Missoula PD.

Thank you for your time.

Sincerely,

Elvis R Nuno

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