



## Big Horn County Attorney

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*Aequitas et Veritas*

### PUBLIC REPORT

## INVESTIGATION INTO AUGUST 2019 DEATH OF KAYSERA STOPSATPRETTYPLACES

August 13, 2021

### Preliminary Notes:

*This Public Report is based largely upon information and belief, following prosecutorial review of Big Horn County Sheriff's Office Investigative File No. 2019-1123 ("Unattended Death") and Big Horn County Attorney's Office Investigative File No. DI 2019-05 ("In Matter of Investigating the Death of Kaysera Stops"). This Report does not draw conclusive determinations as to any facts or circumstances presented on information and belief, but only as to those facts and circumstances which are either public record or verifiable through both documentary and testimonial evidence. **This report also does not represent any charging decisions or declinations to prosecute any crimes on behalf of the State of Montana.***

*This Report involves an unattended death investigation which is **active and open**. The State is aware of the "high profile" nature of this investigation and the purpose of this Report it to help ensure public confidence in the local criminal justice process and provide understanding as to why a criminal prosecution has not been initiated as of August 13, 2021 – nearly two years following the tragic discovery of the remains of Stopsatprettyplaces. Any information known or suspected by authorities which could have a substantial likelihood of materially prejudicing any future adjudicative proceedings in this matter or which are sensitive to ongoing investigation efforts have been excluded from this Report consistent with the Montana Rules of Professional Conduct and the Montana Confidential Criminal Justice Information Act.*

### **I. Circumstances of Body Discovery**

The body of an 18-year old local woman named Kaysera Stopsatprettyplaces was discovered in a facedown position and clothed at approximately 6:43 p.m. on Thursday, August 29, 2019 in the northeast corner of a fenced backyard to a residence on the north side of the intersection of Mitchell Avenue and Rangeview Drive in Hardin, Montana. The discovery was made by a local citizen who was jogging along Mitchell Avenue. Big Horn County Ambulance was on scene at approximately 6:49 p.m., followed by Big Horn County Sheriff's Deputies at 6:52 p.m. By 6:55

p.m., all local authorities on scene concurred that the matter must be handled as a death scene investigation. At approximately 7:30 p.m., the Big Horn County Coroner formally issued a death pronouncement. The body of Stopsatprettyplaces was secured into a plastic bag and delivered to the Montana State Crime Lab in Billings for medical examiners to conduct an autopsy upon request of the Sheriff's Office and Coroner's Office. Stopsatprettyplaces was found by authorities wearing a black, long-sleeved shirt, tan colored pants, black sandals with her hair in a "bun." According to a family member witness (self-identified as an "aunt" to Stopsatprettyplaces) interviewed by the Sheriff's Office on August 29, 2019 following the body discovery, Stopsatprettyplaces was last seen on August 24, 2019 wearing a black sweatshirt, tannish pants, black sandals and her hair in a "bun." The aunt further stated to the Sheriff's Office that she had learned that the body of a female was recently found in Hardin and accordingly she wanted to report her niece, Kaysera Stopsatprettyplaces, as a missing person. The aunt noted to the Sheriff's Office investigator that she believed Stopsatprettyplaces had been "hanging out" on Rangeview Drive because that is where her "buyer" was located. When asked what was meant by the aunt using the term "buyer", the aunt stated that she meant the person that buys Stopsatprettyplaces alcoholic beverages. The location of the residence where the body of Stopsatprettyplaces was located is distinct but in close proximity to the location of the residence where her "buyer" was known to reside. Stopsatprettyplaces had a Samsung cellular smartphone and a butane torch lighter on her person (one located in each of her hip pockets), and no other personal items.

## **II. Circumstances of Disappearance**

According to witness statements collected from a total of four persons with first-hand knowledge, Stopsatprettyplaces was with three other persons (a 17-year old female, a 19-year old female and a 23-year old man) outside of a residence located along Rangeview Drive in Hardin during the early morning hours of August 25, 2019. While not fully consistent, these statements outline a series of events which culminated with an argument outside of a residence along Rangeview Drive at or near the hour of 3:00 a.m. on August 25, 2019, prompting the homeowner to remotely activate the lights and horn of his vehicle, which was parked in his driveway, in order to disperse these individuals, who did take flight as a result. Statements collected by the Sheriff's Office give indication that Stopsatprettyplaces fled to the backyard of the residence where she was eventually discovered, the adult male fled in a westward direction and two remaining females fled in an eastward direction. There is no available evidence to firmly establish whether any person had communication or contact with Stopsatprettyplaces following her observed entry into the backyard of the residence along Rangeview Drive during the early morning hours of August 25, 2019. Temperature extremes from records of the National Weather Service Hardin climate station is 87/54 degrees Fahrenheit for August 24, 2019 and 86/56 degrees Fahrenheit for August 25, 2019. The precise circumstances of the disappearance of Stopsatprettyplaces on the dates of August 25, 2019, August 26, 2019, August 27, 2019, August 28, 2019 and August 29, 2019 remains under investigation.

## **III. Autopsy Report**

A postmortem examination was conducted on Stopsatprettyplaces at 9:00 a.m. on August 30, 2019. The following is an excerpt from the Postmortem Examination Report, which was endorsed by four State of Montana medical examiners and issued on December 6, 2019:

*Autopsy revealed no evidence of injury or natural disease. Toxicology testing of blood detected the presence of ethanol. Although no neck injuries were detected at autopsy, an asphyxia cause of death cannot be excluded. At this time, the cause and manner of death are classified as undetermined. Cause and manner of death may be reclassified in the future if additional information becomes available.*

Toxicology screening indicated Stopsatprettyplaces had a 0.149 blood ethanol concentration at the time of her discovery on August 29, 2019.

#### **IV. Positive Identification of Body**

Significant decomposition delayed a positive identification of the body until dental records were procured through an investigative subpoena applied for by the Big Horn County Attorney on September 3, 2019 and issued by the Big Horn County District Court the same day. The body of Stopsatprettyplaces was returned to the State Crime Lab in Billings on September 9, 2019 in order to aid in the positive identification. Dental records from a February 2019 examination at a local dentist were conclusive as to identification, which was formally communicated to the Big Horn County Coroner from the State Medical Examiner's Office on September 12, 2019.

#### **V. Missing Person Reports**

At the time of the discovery of the remains of Stopsatprettyplaces, there is no evidence any report of Stopsatprettyplaces as a missing person had been entered into the National Crime Information Center by any law enforcement authorities following her disappearance on August 25, 2019. Notably, Stopsatprettyplaces was entered into the National Crime Information Center as a missing person by the Bureau of Indian Affairs Office of Justice Services (Northern Cheyenne Agency) on July 5, 2019, due to her not being locatable by her Crow Tribal Court-appointed guardian. Stopsatprettyplaces was located by her Court-appointed guardian in Billings on July 7, 2019, which was confirmed by the Billings Police Department the same day, prompting her removal as a missing person.

#### **VI. Further Investigation by Law Enforcement**

From the date of the autopsy on August 30, 2019 through September 19, 2019 when the Sheriff's Office received a signed consent to search the cell phone found with Stopsatprettyplaces, it does not appear any significant investigative efforts were being conducted by the Big Horn County Sheriff's Office except the collection of dental records pursuant to an investigative subpoena, prompting the Big Horn County Attorney to issue a public statement on October 1, 2019, calling for the establishment of a Missing and Murdered Persons Task Force to address all "suspicious deaths or suspected homicides" under State jurisdiction in Big Horn County. Substantial investigative efforts by the Sheriff's Office were reestablished during the first week in October, 2019. The Sheriff's Office conducted interviews of witnesses during the

first two weeks of October, 2019. DNA samples collected from the fingernails and other key body locations of Stopsatprettyplaces were submitted by the Sheriff's Office to the State Department of Justice, Forensic Science Division in December, 2019 for analysis and the crime lab subsequently reported no foreign DNA present in the samples tested. In October and November, 2019, investigative efforts including the issuance of a social media account search warrant, along with additional investigative subpoenas for the medical records and school records of Stopsatprettyplaces. School records revealed an April 2019 incident at the Hardin High School in which Stopsatprettyplaces was found unresponsive due to a high level of alcohol intoxication, prompting an emergency room visit to the Big Horn County Memorial Hospital in Hardin. Additionally, medical records collected from the Indian Health Service indicate that Stopsatprettyplaces was under treatment for asthma at the time of her death. On January 30, 2020 the Big Horn County Attorney formally requested investigative assistance of the Montana Department of Justice Division of Criminal Investigation, which was declined the same day due to their large caseload. Later in 2020, the Big Horn County Sheriff's Office referred the investigation to a "cold case unit" of four special commissioned Missoula County Sheriff's deputies who are retired federal special agents – however, only a review of evidence and no additional investigative efforts were conducted due to the COVID-19 public health emergency. A 2021 independent review of evidentiary materials by a forensic pathologist agreed with how the death was certified ("cause and manner unknown") and the independent reviewer observed that the size of the fly larvae collected by the Sheriff's Office at the death scene "appear compatible with death near the time she was last known alive and the local weather data." The independent review also characterized the level of alcohol in her body during the autopsy as "comparable" to the amount of alcohol in the body of Stopsatprettyplaces during the April 2019 emergency room visit after being found unresponsive due to a high level of alcohol consumption.

## **VII. BIA Office of Justice Services – MMIP Unit to Assist Investigation**

On July 7, 2021, the United States Department of the Interior, Bureau of Indian Affairs Office of Justice Services Missing and Murdered Unit established pursuant to "Operation Lady Justice" offered Big Horn County their assistance in further investigative efforts into the death of Kaysera Stopsatprettyplaces. The County Attorney's Office has accepted this offer on the premise that the federal authorities work cooperatively with the County Sheriff's Office and other State authorities. Due to the nature of this investigation as active and open, no further public comment can be made at this time.

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