

Charges refiled against former Bozeman priest

BOZEMAN (AP) — The Gallatin County attorney's office has refiled criminal charges of deviate sexual conduct against a priest who used to live in Bozeman.

District Judge Henry Loble of Helena last month dismissed the original charges against the Rev. Kevin Malee, 36, now living in San Diego, Calif. Loble said the charges were too vague.

The new charges filed in Gallatin District Court list more specific times and places that Malee allegedly engaged in sexual contact or sexual intercourse with a Bozeman teenage boy.

The first of the new charges contends that Malee engaged in deviate sexual conduct between March and October 1985 with a 15-year-old boy at a Bozeman residence. The second charge alleges that the deviate sexual conduct continued between October 1985 and May 1986.

Court documents say the

incidents were reported after the teenager sought private counseling from a Bozeman social worker. The counselor reported the sexual-assault allegations to the Gallatin County Sheriff's Department, which then conducted an investigation.

Defense attorney Steven Ungar said he will again ask Loble to dismiss the charges, still contending they give insufficient details.

Meanwhile, Deputy County Attorney Marty Lambert said Monday that he may ask the state Supreme Court to review a decision by Loble allowing Ungar to have a psychologist or psychiatrist evaluate the alleged victim.

Lambert said he will consult with County Attorney Mike Salvagni and the attorney general before deciding on the request. Malee's trial is scheduled for March 28.