

COURT, JEFFERSON COUNTY, COLORADO

Investigator Lee Hoag, being duly sworn upon oath says:

That the foregoing offense(s) alleged was committed of this affiant's own personal knowledge, and the facts stated therein are true.

Your affiant is of lawful age and a sworn peace officer of the Jefferson County Sheriff's Office, Golden, Colorado, in the County of Jefferson.

Your affiant states that the following facts are true and based upon his/her personal knowledge, as a result of his/her conversations with the person(s) named herein and reviewing their written reports.

On September 17, 2010, at 6:09 p.m., Littleton Fire was dispatched via a 9-1-1 call to 6596 South Reed Way #C, Littleton, County of Jefferson, State of Colorado reference a young child that had fallen and was unresponsive. When EMT Michael Simon arrived at the residence he spoke to Christine Arnold, DOB/09-19-72. Christine reported that she was fixing dinner and heard a crash and found [REDACTED] DOB/08-15-04 at the bottom of the stairs leading into the basement. Christine stated [REDACTED] was unconscious when she got to him and she carried him up the stairs and called for help. Christine reported she and [REDACTED] were home alone. When EMT Simon arrived [REDACTED] was lying on a bed and was still not responding to them, but with the assistance of oxygen, [REDACTED] started to respond to their voices. EMT Simon observed that [REDACTED] had bruising and abrasions all over his body, specifically on his right ear, arms, legs, and his whole back. All the bruises appeared to be different ages and of different quality. EMT Simon requested a Jefferson County Sheriff Deputy respond, because he didn't think the injuries appeared consistent with Christine's explanation of a fall. [REDACTED] was then transported by ambulance to Littleton Hospital.

Christine and Randal Arnold took custody of [REDACTED] (previously known as [REDACTED]) on a foster to adopt program when [REDACTED] was two and a half years old. Christine and Randal then completed the adoption of [REDACTED] in 2006 and had his name officially changed.

The medical staff at the Littleton Hospital ER examined [REDACTED] and determined that he had blood on the brain and that his brain was swelling. [REDACTED] was then transported to Children's Hospital. At Children's Hospital, [REDACTED] was examined by Doctor Kathryn Wells as well as other doctors. Dr. Wells confirmed that [REDACTED] had an "acute subdural hematoma" on the left side of his brain, which was consistent with blunt force trauma. Dr. Wells confirmed that [REDACTED] injuries were not consistent with a series of small falls, such as falling down stairs. Dr. Wells confirmed that [REDACTED] had suffered "serious bodily injury" and also reported that [REDACTED] suffered from "severe malnutrition." Further examination of [REDACTED] showed various stages of bruising and multiple markings to include straight line type markings, u-shaped or horseshoe type markings, and v-shaped type markings. The buckle on a belt found during a search warrant of the home was later found to be consistent with the u-shaped bruises. [REDACTED] had a right swollen, multi bruised ear lobe that was consistent with an injury caused as a result of an impact blow. When Dr. Wells asked [REDACTED] about the injury on his ear, [REDACTED] stated his mom (Christine) dropped him and hurt his ear a long time ago. [REDACTED] said it was his bad ear. [REDACTED] asked Dr. Wells not to tell his mom he told. [REDACTED] had an abrasion or puncture type wound on the left side of his skull which was directly above the subdural hematoma. When Dr. Wells asked [REDACTED] about his injuries, [REDACTED] told her that his mother hit him with a belt. [REDACTED] told Loreen Gulli (Children's Hospital Social Worker) that his mom pinches his arm and tries to break it. Dr. Wells spoke to Christine about the bruises she observed on [REDACTED] and Christine reported that [REDACTED] had behavioral problems and they were self inflicted. Dr. Wells reported the bruises she observed were not consistent with self inflicted injuries.

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day of _____, 20 _____

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Jefferson County Sheriff Deputy Heather Carmosino took photographs of [redacted] s injuries at Littleton Hospital and spoke briefly with [redacted] out of the presence of his mother. Deputy Carmosino asked [redacted] how he got hurt and [redacted] reported, "Um, my mom was carrying me and fell." [redacted] then told Deputy Carmosino "Don't tell my mom." When Deputy Carmosino asked [redacted] about all of the bruises and cuts on his back he told her his mom spanked him "with a belt." Deputy Carmosino asked why he got spanked with the belt [redacted] replied, "I took snacks."

Investigator Teresa Aquilar and Investigator Brian Bahl interviewed Christine and Randall in separate interviews. Christine repeated how she had been fixing dinner and warned [redacted] not to play by the stairs and then heard noises. When she went to investigate, she found that [redacted] had fallen all the way down the stairs and sought immediate help. Both parents reported that [redacted] was a difficult child and had a history of injuring himself. Both reported that [redacted] would injure himself by banging his head against walls. Christine and Randal independently denied hurting [redacted] and stated they never struck [redacted] Randal indicated that Christine would sometimes use her hand to spank [redacted], but indicated it was more of a tap than a blow. They reported [redacted] lied a lot, stole food from other kids at school, and once smeared feces on the school bathroom wall. Christine stated her life was stressful because of [redacted] Christine and Randall reported that the school notified them on Tuesday that [redacted] had taken food from other kids. Christine and Randall stated that on Wednesday [redacted] became sick and she kept him home (Wednesday through Friday) reporting that he had a fever and she had to administer child Tylenol to him. During the court ordered search of the home, no children's medicine was found in the house or in the trash. Randall reported that he didn't see any injuries on [redacted] prior to seeing his injuries at the hospital on September 17, 2010. However on Thursday, September 16, 2010, he spoke on the phone to the Columbine Hills Elementary Secretary, Maryann Shively, DOB/03-08-58, and told her that [redacted] was still sick and that "by the way" he fell out of his bed the night before and banged his head. Randal reported that [redacted] was not as coordinated as other children. Randal stated that "all boys have bumps and bruises", but [redacted] s bruises were far more extreme. Randal described [redacted] as an "abnormal child." Randal and Christine stated they locked [redacted] in his room at night for his own protection and because he had been caught trying to take food from the kitchen during the night.

On September 18, 2010, a search of the Arnold's residence was conducted per a Search Warrant. The interior of the house consisted basically of a living room, dining room, two bedrooms, two bathrooms, kitchen and a basement / storage area. In general, the house was relatively tidy. [redacted] s bedroom was relatively sparse consisting of a bed (bottom sheet and top sheet and no pillows or blankets), two dressers and some pictures on the wall. The room was devoid of any obvious children's toys, stuffed animals, or books, etc. A sliding chain lock was found on the upper portion of the exterior of [redacted] s bedroom door. There were coloring books and some crayons found in the kitchen, but no other toys or children's books to speak of in the home. In what was believed to be an office area, inside a box labeled "Shoes stay in Denver" was a TV, DVD player, coloring books, crayons, and Legos. Also inside this same box were two leather braided belts. One brown leather braided belt had a buckle without a prong and the other belt had a prong, but no buckle.

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On September 20, 2010, Deputy Aaron Rollins went to Columbine Hills Elementary and interviewed Principal Connie Brasher, DOB/02-27-48, Secretary Maryann Shively, DOB/03-08-58, and [redacted] kindergarten teacher Sandra Baltazar, DOB/11-21-63. The following is the information from the above mentioned individuals.

[redacted] was well liked and able to complete directed play and non directed play at school. [redacted] did exhibit "meltdowns" at times, but nothing that couldn't be handled and resolved by school personnel. She described [redacted] as "a very sweet kid." [redacted] was in a normal classroom and did not require special aide assistance. Disturbances were not frequent. [redacted] acted out at the beginning of last school year and stole other student's lunches. When Randal Arnold was contacted his response was that [redacted] only ate three times a day (breakfast, lunch, and dinner) and nothing in between those meals. It was observed that frequently new bruises and injuries were observed on [redacted] after he had been out of school for several days. It was noted that most kids when they got injured were able to tell you how they got hurt, but [redacted] always stated he didn't know when asked. It was observed that [redacted] wore clothing to school that tended to cover up his arms and legs. School personnel have been worried about [redacted] since he started kindergarten (August 2008). It appeared that [redacted] was scared of his parents.

Principal Brasher stated she had called in several concerns to Social Services and to law enforcement. Principal Brasher stated the fact she called in suspected injuries angered the parents.

Secretary Shively reported [redacted] was called out sick on Wednesday and on Thursday (September 16, 2010) Randal Arnold contacted her directly to say [redacted] was still sick and added that [redacted] had fallen out of his bed the night before and banged his head.

According to Jefferson County Social Service Ongoing Worker Dori Baranski, [redacted] was examined prior to his adoption and he was measured and weighed. In 2006, [redacted] was in the fifty to seventy five percentiles for his weight and height. [redacted] weighed 31 pounds prior to age three. Currently [redacted] weight in relation to his height measures below zero on the growth chart. On September 17, 2010, Children's Hospital weighed [redacted] and his weight was 30 pounds. During the five days that [redacted] was in Children's Hospital he gained five pounds.

Christine and Randal Arnold had available to them counseling services as adoptive parents through Jeffco Mental Health and were assigned Counselor Naomi Reed. Christine Arnold signed a voluntary Consent for Naomi Reed's medical reports. Naomi Reed reported that the basic concerns with [redacted] were between him and Christine. Naomi Reed recommended a lot of therapeutic intervention, but the Arnolds attendance at therapy session had been extremely erratic and did not attend NPP classes in order to become more realistic in their expectations for [redacted]. Naomi Reed stated Christine's expectations for how [redacted] should be and act appeared to be a little over board for how [redacted] actually is. The Arnolds were offered in-home therapy and home visitations services, but after a few visits declined to continue after April 2009.

On December 9, 2009, Jefferson County Deputy Jerry Warren and Jefferson County Social Service Worker Mary Brown investigated a report from Principal Connie Brasher reference injuries observed on [redacted]. [redacted] had three stitches in his lower lip, a bruise on his right cheek, and marks on his legs. [redacted] reported his mom (Christine)

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pushed him into the wall and cut his lip. [redacted] told them he got the bruises on his upper legs, because his mom spanked him with a belt. Christine told Deputy Warren that she and Randal sometimes spanked [redacted] but only with their hands. Christine and Randal reported [redacted] lied about the belt and that his injuries were self inflicted.

On September 23, 2010, Forensic Interviewer Linda Mikow interviewed [redacted] at the Arvada Ralston House. Although [redacted] had a slight speech impairment, your affiant was able to understand him. [redacted] demonstrated that he could correct Linda Mikow, if she got anything he said wrong. [redacted] demonstrated he could remember details of things that happened in the past, like his last birthday and school activities. Linda Mikow was able to engage [redacted] in narrative responses to questions which did not revolve around his injuries or [redacted] (Christine & Randal Arnold). When Linda Mikow asked questions about [redacted]'s recent injuries or about the daily routines in his home, [redacted] complained about his head hurting and wanted to stop the interview. [redacted] was animated and appeared excited when he described the things he had done with his foster placement family. Linda Mikow gave [redacted] two breaks during his forensic interview. [redacted] reported that he was put in his bedroom for "time out" or punishments and he didn't like it when his mom smacked him. [redacted] reported he didn't have any toys, except the ones that were in the basement and he had to ask to play with those. [redacted] could not describe what kind of toys might be in the basement. [redacted] stated there wasn't anything he liked to do with his mother. [redacted] stated he walked their dog with his dad, but did not verbalize any other interaction or activities that took place between him and his father. [redacted] said he ate breakfast and dinner in the kitchen alone and that his parents ate at a different time.

Randal Arnold participated or was aware of a continued pattern of conduct that resulted in [redacted]'s malnourishment and/or a lack of proper medical care and a continued pattern of cruel punishment or unreasonable isolation or confinement of said child.

Based upon the foregoing facts, your affiant submits that there is probable cause to believe that criminal offenses have been committed in violation of Colorado law. Your affiant further submits that there is probable cause to charge Randall Edward Arnold, DOB/11-23-70, a white male, 5'9", 160 pounds, with brown hair and green eyes with the commission of these offenses. Your affiant therefore requests that a warrant be issued for the arrest of Randal Edward Arnold, DOB/11-23-70, and that a bail bond amount be set.

Inv. Lee Hoag
Affiant

Sworn to before me this 24th
day of Sept, 20 10
[Signature]
JUDGE

