

JEFFERSON COUNTY

Name: LAHAM, ADAM DEAN

Birthdate: 8/29/1988...

Case Report # 11-053259

Arresting Agency LAKEWOOD POLICE DEPARTMENT

Arrest Date 12/23/2011

Arrest Report # B113289

Charges: CHILD ABUSE - CRIMINAL NEGLIGENCE CAUSES DEATH

CRS 18-6-401(7)...

Classification F

JEFFERSON COUNTY CO

DEC 27 AM 6:53

AFFIDAVIT IN SUPPORT OF WARRANTLESS ARREST

(1951) GILBERT, SHAWNA JO

Being duly sworn upon oath says that there is probable cause for the warrantless arrest of the above-named defendant for the charge(s) stated above, and that the following facts are true and correct to the best of his/her knowledge, information and belief and support the arrest of the defendant.

Your Affiant is a police agent for the Lakewood Police Department for the City of Lakewood, Colorado, whose responsibilities include the investigation of crimes committed in that city. Your affiant has personal knowledge of the facts contained within this affidavit through personal involvement, interviews of witnesses and other police officers, and through reviewing official police reports. This crime occurred in the City of Lakewood, County of Jefferson, State of Colorado.

On 12/23/31 at approximately 0946 hours, Lakewood Agents were dispatched to the Eagle Crest Apartments, 1614 Iris St #88, in the City of Lakewood, County of Jefferson, and State of Colorado. While enroute Agents were advised that a 5 year old male, (later identified as [redacted]) had been shot. It was also aired that it was unknown who shot [redacted], but that he was in the bedroom in the middle of the apartment. Witnesses calling into Lakewood Dispatch also advised it was unknown who shot [redacted] but that it was an accidental shooting.

Lakewood Agents and West Metro Fire Department arrived on scene at 0952 hours. West Metro immediately transported [redacted] to Saint Anthony's West Hospital, and the scene was secured by Lakewood Police. At approximately 1028 hours [redacted] was pronounced dead by Doctor Pinson at Saint Anthony's Hospital.

Your Affiant arrived at 1614 Iris #88 at 1003 hours, and was advised that there were several adult witnesses on scene as well as two children. Agent Amanda Jackson advised Detective Vandiver that [redacted] father was Donald Javier (12/18/84) and was on scene and that [redacted] mother was Sidra Connell (05/30/85) who was not on scene. Also inside the apartment was the owner of the gun involved in the shooting, Adam Laham (08/29/88), roommate Aubry Rosenberg (10/31/82), Stacy Ward (10/19/87), Paul Manger (11/24/81), as well as [redacted] brother [redacted], and sister [redacted]. All parties on scene were immediately transported to the Lakewood Police Department.

Based on the initial statements made to Agent Jackson, she advised Detective Vandiver that Adam had told her he owned

Affiant's Signature: (1951) GILBERT, SHAWNA JO

Subscribed and sworn to before me in the county of Jefferson, State of Colorado this [redacted] day of [redacted]

Notary Public: [redacted]

Expiration Date: [redacted]

**JEFFERSON COUNTY**  
continuation

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the gun, and that it was a Kel-Tech .32 caliber semi-automatic handgun. Agt. Jackson said Adam informed her there were numerous guns inside the apartment, and that all of them were loaded with a round in the chamber. Adam claimed to not reside at the address, but stated he was visiting from Wichita, Kansas. Agt. Jackson also advised Detective Vandiver that it was unknown who shot [REDACTED] but stated she heard 3 year-old [REDACTED] state "I just wanted to show him the gun."

Your Affiant returned to the Lakewood Police Department to continue with the investigation.

Your Affiant interviewed Donald Javier who identified himself as [REDACTED] father. Donald reported he was home with his three children [REDACTED] and [REDACTED] as well as roommate Aubrey Rosenberg, and friends Adam Laham, Stacy Ward and Paul Manger. The children were playing in one of the bedrooms in the home. Donald heard the gunshot and went running to bedroom where the children were located. Donald observed [REDACTED] drop a gun and he observed [REDACTED] on the floor. Donald reported they started to try to do CPR and put pressure on the wound while they waited for help to arrive. Donald told me there are a number of guns in the home.

Detective Mckone interviewed Paul Manger. Detective Mckone reported the following information to Your Affiant. Paul had come to Colorado with Adam and Stacy. This morning the adults were sitting in the living room and the boys were playing in the room where Adam and Stacy were staying. Paul heard a bang and Donald ran into the bedroom and said to call 911. Paul believed the gun used in incident belonged to Adam.

Detective Mckone also interviewed Stacy Ward and he reported the following information to Your Affiant related to that interview. Stacy reported Adam is her fianc and they drove out to Colorado together. They stayed in a hotel for two nights and then they started staying at Donald's house. Adam and Stacy were sleeping in the boys' room. This morning the adults were in the living room and the boys were in the room where Adam and Stacy were staying. She heard the bang and they all went running to the room. Stacy is aware that Adam had a loaded gun in the room and she knew it was either on the bed or on the bed stand.

Detective Lovejoy interviewed Aubrey Rosenberg and he reported the following information to Your Affiant related to that interview. Aubrey lives in the home and was sleeping in her room. She heard a loud pop and then screaming. She came out of her room and saw [REDACTED] on the ground. Aubrey assisted in breathing for CPR. Aubrey reported the gun came from Adam. She stated it is a tiny gun that looks like a toy.

[REDACTED] was interviewed by forensic interviewer Carla Hallacy with the Ralston House. Detective Lovejoy observed the interview and reported the following information to Your Affiant. [REDACTED] and her brothers were in the bedroom. [REDACTED] saw a gun on the bed and she told the kids not to touch it. She went to the living room and heard a pop. She then heard her dad yell that [REDACTED] accidentally shot [REDACTED].

[REDACTED] was interviewed by forensic interviewer Carla Hallacy with the Ralston House. Detective Lovejoy observed the interview and reported the following information to Your Affiant. [REDACTED] was difficult to understand during the interview. [REDACTED] stated the gun was on a bucket. He also stated he accidentally "shooting" [REDACTED].

Your Affiant interviewed Adam Laham. He reported they arrived in Colorado on the 19th from Kansas. For the last two nights Adam and Stacy were staying at Donald's home in one of the bedrooms. This morning Adam woke up and laid in bed for about half an hour to an hour. He then got up and left the room, after getting his coat he went to smoke a cigarette. He then sat down in the living room and heard the gunshot. When asked about the time between when he left the room and the gunshot, he stated "Um, pfe, I don't know maybe thirty minutes. I mean it was totally my fault, you know I sleep with my gun by my head, you know." He then went on to say "And, uh, I got up, you know the, the kids parents told them, you know that we're staying in their game room or whatever, don't go in their you know. And (sigh) you know they were, I'd seen him wanting to go in the room to play his x-box you know cause he's always on it. And I said, oh, it's okay, you know, go and ahead, and you know we're up, you know, I'd got up and then I seen Stacy. You know she left the room also, so I was like okay, you know we're not in there, just, you know, it's okay, go ahead and go in there and play and you know I'm not used to having kids in the house, you know I just always leave it out and you know I don't ever have to worry about it and so I mean it was, it was my fault, you know, that I left it out, pretty

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(1951) GILBERT, SHAWNA JO

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

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Adam confirmed that the gun used in the shooting was his gun. He told me he had left it on a container in the room that he was using as his night stand. He told me he always has it loaded. It's a Kel-Tech .32. It holds six or seven rounds plus one, and he always keeps a round in the chamber. He stated it does not have a safety.

While going back through what occurred with Adam he stated he was in the living room sitting on the couch. Paul, Stacy, and Donald were also in the living room. Adam saw [redacted] standing outside of the door wanting to play his game. Adam told him he could go in and play his game. Adam believed all three kids went in the room. They were in the room for five or ten minutes. Then Adam heard the gun shot.

Adam was aware that Donald was teaching the kids how to use the gun. They had all gone shooting this week. Adam has not talked to the kids about guns.

Adam stated that when he told the kids it was okay to go in and play in their room he didn't realize the firearm was there. He knew where he had left it. He stated he didn't realize it was there and in with the kids. When he woke up he forgot to put it away and he wasn't thinking about the children getting it. He does not have children and is not used to putting it away. He knows the ages of the children and has known them for several years. He stated he knows they are not old enough to use a gun alone.

Adam had a conversation with Donald when he arrived at the home related to putting his things away if he was staying in the home. Adam stated the parents did not know the gun was out in the bedroom and he is not even sure if they knew he had it.

Adam was arrested and booked at the Lakewood Police Department on charges of Child Abuse, Criminal Negligence, Causing Death.

*Probable Cause Filed  
Rely w/ det  
12/23/11*

Affiant's Signature: [Signature]  
(1951) GILBERT, SHAWNA JO

Subscribed and sworn to before me this 23<sup>rd</sup> day of December, 2011

Notary Public: [Signature]  
Expiration Date: 01/12/2015