

DISTRICT COURT
ARAPAHOE COUNTY, COLORADO
Court Address: Arapahoe County Justice Center
7325 South Potomac Street, Englewood, CO 80112
THE PEOPLE OF THE STATE OF COLORADO vs.
Defendant(s):
AARON THOMPSON

Filed
MAY 16 2007
CLERK OF THE DISTRICT COURT
ARAPAHOE COUNTY, COLORADO
 COURT USE ONLY

Attorney:
CAROL CHAMBERS, 18th Judicial District Attorney
7305 S Potomac St., Suite 300, Centennial, CO 80112
Phone Number: 720.874.8500
Atty. Reg. #: 14948

Case Number:
~~06-CR-1~~ **07CR1483**
Division/Ctrm:

2006 EIGHTEENTH JUDICIAL DISTRICT GRAND JURY INDICTMENT

- COUNT ONE CHILD ABUSE RESULTING IN DEATH - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(I), C.R.S. (F2)
- COUNT TWO CHILD ABUSE RESULTING IN DEATH - CRIMINAL NEGLIGENCE, 18-6-401(1)(a),(7)(a)(II), C.R.S., (F3)
- COUNT THREE CONSPIRACY TO COMMIT CHILD ABUSE - DEATH - KNOWINGLY, 18-6-401(1)(a),(7)(a)(I), C.R.S and 18-2-201, C.R.S. (F3)
- COUNT FOUR CONSPIRACY TO COMMIT CHILD ABUSE RESULTING IN DEATH - RECKLESSLY, 18-6-401(1)(a),(7)(a)(I), C.R.S and 18-2-201, C.R.S. (F3)
- COUNT FIVE CONSPIRACY TO COMMIT CHILD ABUSE RESULTING IN DEATH - CRIMINAL NEGLIGENCE, 18-6-401(1)(a),(7)(a)(II), C.R.S. and 18-2-201, C.R.S. (F4)
- COUNT SIX ACCESSORY TO CRIME -CHILD ABUSE RESULTING IN DEATH - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(I) and 18-8-105(1),(3) C.R.S. (F4)

COUNT SEVEN	ACCESSORY TO CRIME – CHILD ABUSE RESULTING IN DEATH – CRIMINAL NEGLIGENCE, 18-6-401(1)(a),(7)(a)(II), C.R.S and 18-8-105(1),(5), C.R.S.
COUNT EIGHT	FALSE REPORTING TO AUTHORITIES - PROVIDING FALSE INFORMATION 18-8-111(1)(c), C.R.S., (M3)
COUNT NINE	CONSPIRACY TO COMMIT FALSE REPORTING TO AUTHORITIES - PROVIDING FALSE INFORMATION, 18-8-111(1)(c), C.R.S and 18-2-201, C.R.S. (M3)
COUNT TEN	CONCEALING DEATH, 18-8-109 C.R.S. (M1)
COUNT ELEVEN	CONSPIRACY TO COMMIT CONCEALING DEATH, 18-8-109 C.R.S. and 18-2-201, C.R.S. (M2)
COUNT TWELVE	ABUSE OF A CORPSE, 18-13-101(1)(b) C.R.S. (M2)
COUNT THIRTEEN	CONSPIRACY TO COMMIT ABUSE OF A CORPSE, 18-13-101 and 18-2-201, C.R.S. (M3)
COUNT FOURTEEN	CONTRIBUTING TO THE DELINQUENCY OF A MINOR, 18-6-701, C.R.S., (F4)
COUNT FIFTEEN	CONTRIBUTING TO THE DELINQUENCY OF A MINOR, 18-6-701, C.R.S., (F4)
COUNT SIXTEEN	CONTRIBUTING TO THE DELINQUENCY OF A MINOR, 18-6-701, C.R.S., (F4)
COUNT SEVENTEEN	CONTRIBUTING TO THE DELINQUENCY OF A MINOR, 18-6-701, C.R.S., (F4)
COUNT EIGHTEEN	CONTRIBUTING TO THE DELINQUENCY OF A MINOR, 18-6-701, C.R.S., (F4)

COUNT NINETEEN	CONTRIBUTING TO THE DELINQUENCY OF A MINOR, 18-6-701, C.R.S., (F4)
COUNT TWENTY	CONTRIBUTING TO THE DELINQUENCY OF A MINOR, 18-6-701, C.R.S., (F4)
COUNT TWENTY-ONE	CONSPIRACY TO COMMIT CONTRIBUTING TO THE DELINQUENCY OF A MINOR - FALSE REPORTING TO AUTHORITIES, 18-8-111(1)(c), 18-6-701, and 18-2-201, C.R.S.
COUNT TWENTY-TWO	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)
COUNT TWENTY-THREE	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)
COUNT TWENTY-FOUR	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)
COUNT TWENTY-FIVE	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)
COUNT TWENTY-SIX	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)
COUNT TWENTY-SEVEN	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)
COUNT TWENTY-EIGHT	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)
COUNT TWENTY-NINE	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)

COUNT THIRTY	CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(V), C.R.S. (M1)
COUNT THIRTY-ONE	ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY, 18-3-203(1)(g), C.R.S. (F4)
COUNT THIRTY-TWO	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S. (F3)
COUNT THIRTY-THREE	ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY, 18-3-203(1)(g), C.R.S. (F4)
COUNT THIRTY-FOUR	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S. (F3)
COUNT THIRTY-FIVE	ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY, 18-3-203(1)(g), C.R.S. (F4)
COUNT THIRTY-SIX	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S. (F3)
COUNT THIRTY-SEVEN	ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY, 18-3-203(1)(g), C.R.S. (F4)
COUNT THIRTY-EIGHT	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S. (F3)
COUNT THIRTY-NINE	ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY, 18-3-203(1)(g),

	C.R.S. (F4)
COUNT FORTY	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY- KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S. (F3)
COUNT FORTY-ONE	ASSAULT IN THE SECOND DEGREE – SERIOUS BODILY INJURY, 18-3-203(1)(g), C.R.S.(F4)
COUNT FORTY-TWO	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY- KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S. (F3)
COUNT FORTY-THREE	ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY, 18-3-203(1)(g), C.R.S. (F4)
COUNT FORTY-FOUR	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S.
COUNT FORTY-FIVE	ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY, 18-3-203(1)(g), C.R.S.
COUNTY FORTY-SIX	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY- KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S. (F3)
COUNT FORTY-SEVEN	ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY, 18-3-203(1)(g), C.R.S. (F4)
COUNT FORTY-EIGHT	CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S. (F3)
COUNT FORTY-NINE	CONSPIRACY TO COMMIT CHILD

	ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY, 18-6-401(1)(a),(7)(a)(III), C.R.S and 18-2-201, C.R.S. (M2)
COUNT FIFTY	CONSPIRACY TO COMMIT CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - RECKLESSLY, 18-6-401(1)(a),(7)(a)(III), C.R.S and 18-2-201, C.R.S. (M2)
COUNT FIFTY-ONE	CONSPIRACY ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY 18-3-203(1)(g) and 18-2-201, C.R.S. (F5)
COUNT FIFTY-TWO	ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON, 18-3-203(1)(b), C.R.S. (F4)
COUNT FIFTY-THREE	ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON, 18-3-203(1)(b), C.R.S. (F4)
COUNT FIFTY-FOUR	ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON, 18-3-203(1)(b), C.R.S.
COUNT FIFTY-FIVE	ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON, 18-3-203(1)(b), C.R.S (F4)
COUNT FIFTY-SIX	ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON, 18-3-203(1)(b), C.R.S. (F4)
COUNT FIFTY-SEVEN	ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON, 18-3-203(1)(b), C.R.S. (F4)
COUNT FIFTY-EIGHT	ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON, 18-3-203(1)(b), C.R.S. (F4)
FIFTY-NINE	ATTEMPTED ASSAULT IN THE SECOND

SIXTY

DEGREE - DEADLY WEAPON, 18-3-
203(1)(b) and 18-2-101, C.R.S. (F5)

CONSPIRACY ASSAULT IN THE SECOND
DEGREE – DEADLY WEAPON
18-3-203(1)(b) and 18-2-201, C.R.S. (F5)

DISTRICT COURT
ARAPAHOE COUNTY, COLORADO
Court Address: Arapahoe County Justice Center
7325 South Potomac Street, Englewood, CO 80112

THE PEOPLE OF THE STATE OF COLORADO vs.
Defendant(s):
AARON THOMPSON

COURT USE ONLY

Attorney:
CAROL CHAMBERS, 18th Judicial District Attorney
7305 S Potomac St., Suite 300, Centennial, CO 80112
Phone Number: 720.874.8500
Atty. Reg. #: 14948

Case Number:
~~06 CR 1~~ 070B 1483
Division/Ctrm:

2006 EIGHTEENTH JUDICIAL DISTRICT GRAND JURY INDICTMENT

Of the term of the District Court in the year 2007, the 2006 Eighteenth Judicial District Grand Jury, chosen, selected, and sworn in and for the Eighteenth Judicial District, in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following described acts, all done contrary to the form of statutes in such case made and provided, and against the peace and dignity of the People of the State of Colorado, as stated in the counts attached hereto:

COUNT ONE

CHILD ABUSE RESULTING IN DEATH - KNOWINGLY OR RECKLESSLY

Between and including May 12, 2002 to August 31, 2004, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Aaroné Thompson, and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in the death of the child; in violation of section 18-6-401(1)(a),(7)(a)(I), C.R.S.

COUNT TWO

CHILD ABUSE RESULTING IN DEATH – CRIMINAL NEGLIGENCE

Between and including May 12, 2002 to August 31, 2004, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, and with

criminal negligence caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Aaroné Thompson and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in the death of the child; in violation of section 18-6-401(1)(a),(7)(a)(II), C.R.S.

COUNT THREE

CONSPIRACY TO COMMIT CHILD ABUSE RESULTING IN DEATH - KNOWINGLY

Between and including May 12, 2002 to August 31, 2004, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of Child Abuse – Resulting in Death – Knowingly, unlawfully and feloniously agreed with Shely Lowe, that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-6-401(1)(a),(7)(a)(I), C.R.S and 18-2-201, C.R.S.

1. The overt act is punishment and failure to seek medical care that resulted in the death of Aaroné Thompson.

COUNT FOUR

CONSPIRACY TO COMMIT CHILD ABUSE RESULTING IN DEATH - RECKLESSLY

Between and including May 12, 2002 to August 31, 2004, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of Child Abuse – Resulting in Death – Recklessly, unlawfully and feloniously agreed with Shely Lowe, that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-6-401(1)(a),(7)(a)(I), C.R.S and 18-2-201, C.R.S.

1. The overt act is punishment and failure to seek medical care that resulted in the death of Aaroné Thompson.

COUNT FIVE

CONSPIRACY TO COMMIT CHILD ABUSE RESULTING IN DEATH – CRIMINAL NEGLIGENCE,

Between and including May 12, 2002 to August 31, 2004, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of Child Abuse – Death – Criminal Negligence, unlawfully and feloniously agreed with Shely Lowe, that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-6-401(1)(a),(7)(a)(II), C.R.S. and 18-2-201, C.R.S.

1. The overt act is punishment and failure to seek medical care that resulted in the death of Aaroné Thompson.

COUNT SIX

ACCESSORY TO CRIME -CHILD ABUSE RESULTING IN DEATH - KNOWINGLY OR RECKLESSLY

Between and including May 16, 2004 to May 12, 2006, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson unlawfully and feloniously rendered assistance to Shely Lowe, with intent to hinder, delay, or prevent the discovery, detection, apprehension, prosecution, conviction, or punishment of Shely Lowe for the commission of a crime, knowing that person committed the crime of Child Abuse Resulting in Death – Knowingly or Recklessly, 18-6-401(1)(a),(7)(a)(I), C.R.S; in violation of section 18-8-105(1),(3), C.R.S.

COUNT SEVEN

ACCESSORY TO CRIME – CHILD ABUSE RESULTING IN DEATH – CRIMINAL NEGLIGENCE

Between and including May 16, 2004 to May 12, 2006, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson unlawfully and feloniously rendered assistance to Shely Lowe, with intent to hinder, delay, or prevent the discovery, detection, apprehension, prosecution, conviction, or punishment of Shely Lowe for the commission of a crime, knowing that person committed the crime of Child Abuse Resulting in Death – Criminal Negligence, 18-6-401(1)(a),(7)(a)(II), C.R.S., in violation of section 18-8-105(1),(5), C.R.S.

COUNT EIGHT

FALSE REPORTING TO AUTHORITIES - PROVIDING FALSE INFORMATION

Between and including November 17, 2005 to May 16, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully made a report or knowingly caused the transmission of a report to law enforcement authorities pretending to furnish information relating to an offense or other incident within their official concern when the defendant knew that he had no such information or knew that the information was false; in violation of section 18-8-111(1)(c), C.R.S.

COUNT NINE

CONSPIRACY TO COMMIT FALSE REPORTING TO AUTHORITIES - PROVIDING FALSE INFORMATION

Between and including November 17, 2005 to May 12, 2006, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of False Reporting to Authorities – Providing False Information, unlawfully agreed with Shely Lowe that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-8-111(1)(c), C.R.S and 18-2-201, C.R.S.

1. The overt act is perpetuating the “cookie/runaway” story to explain the absence of Aaroné Thompson in the Kepner residence.

COUNT TEN

CONCEALING DEATH

Between and including November 17, 2005 to May 16, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully concealed the death of another person and thereby prevented a determination of the cause or circumstances of death; in violation of section 18-8-109, C.R.S.

COUNT ELEVEN

CONSPIRACY TO COMMIT CONCEALING DEATH

Between and including November 17, 2005 to May 12, 2006, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of Concealing Death, unlawfully agreed with Shely Lowe that one or

more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-8-109 C.R.S. and 18-2-201, C.R.S.

1. The overt act is perpetuating the "cookie/runaway" story as well as telling the children that Aaroné went to Michigan to live with her mother, in order to explain the absence of Aaroné Thompson in the Kepner residence.

COUNT TWELVE

ABUSE OF A CORPSE

Between and including November 17, 2005 to May 16, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe, without statutory or court ordered authority, treated the body or remains of Aaroné Thompson in a way that would outrage normal family sensibilities in violation of 18-13-101(1)(b) C.R.S.

COUNT THIRTEEN

CONSPIRACY TO COMMIT ABUSE OF A CORPSE

Between and including November 17, 2005 to May 12, 2006, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of Abuse of a Corpse, unlawfully agreed with Shely Lowe, that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-13-101 and 18-2-201, C.R.S.

1. The overt act is the disposal of the body of Aaroné Thompson.

The facts supporting Counts One through Thirteen are as follows:

1. All of the facts supporting all other counts in this Indictment are incorporated in counts One through Thirteen by this reference.
2. November 14, 2005, at approximately 1:38 p.m., Aaron Thompson Sr. called the Aurora Police Department's non-emergency number to report his 6-year old daughter, Aaroné Thompson, as a runaway. The home address from which Aaroné Thompson was reported to

have run away was 16551 East Kepner Place, Aurora, Colorado, Arapahoe County. Rather than wait for an Officer to respond to his home, Thompson drove to the Aurora Police Department, ("APD") appearing at the front desk at 2:01 p.m..

3. Mr. Thompson reported to the police and, again later that evening, to Detective Randall Hansen, APD, that he and his daughter Aaroné had argued over cookies, and that she had stomped upstairs. He reported that at around 12:30 p.m., about a half an hour after the fight, he noticed that Aaroné was not in the house. He said he checked the front door and found it to be unlocked and reported that the front door was always locked. Thompson said he woke up his girlfriend, Shely Lowe, who had been napping. He reported they looked through the house and could not find Aaroné. He reported he drove around the neighborhood looking for his daughter and he did not find her. He then called the police station non-emergency number. Thompson did not call 911.

4. Despite being questioned repeatedly about the events of the day, Thompson never told police that Aaroné had allegedly returned from Michigan that day, after having supposedly been in Michigan for the past two years. The other children in the home had been told by Thompson and Lowe that Aaroné was in Michigan.

5. Law enforcement officers who interacted with Mr. Thompson on November 14, 2005 as well as on November 15, 2005, describe his demeanor as calm and complacent. Neither he nor his girlfriend Shely Lowe ever asked what they could do to help find Aaroné Thompson.

6. On the evening of November 14, 2005, with the consent of Thompson and Lowe, Detective Randall Hansen was looking through the Kepner address. At approximately 8:00 or 9:00 p.m., Thompson, who had been following Detective Hansen through the house, indicated that he was tired and that he was going to bed. The temperature outside had dropped to about 30 degrees, it was snowing, and his daughter had not been found. At that point, Detective Hansen requested, and Aaron Thompson consented to, a formal interview at the Aurora Police Department. During the interview at APD headquarters, Thompson maintained that he and his daughter had a fight about a cookie and that she ran away. After the interview, Thompson again said that he was tired and needed to go to bed.

7. Detective Chris Fanning arrived at the Kepner address at 8:45 p.m. on November 14, 2005. He spoke with both Thompson and Lowe and described their demeanor as strange. They both presented as flat, with very little concern, and neither had a sense of urgency about the situation. Fanning had a conversation with Lowe and she seemed very distracted by the fact that police were in the house speaking with her children. She described her day but never mentioned that Sister Mary Jo Anzik from Catholic Charities had been at the house that day. While conducting a search of the house, Detective Fanning noticed that around 10:00 or 11:00 p.m., Thompson was sitting on the stairs and appeared to be falling asleep.

8. On November 15, 2005, Detective Fanning went back to the house, and tried to interview Lowe. She was very upset with the police and would not participate in more discussions with

them. From that time forward neither Lowe nor Thompson spoke with the police, or assisted them in any way in their search for Aaroné Thompson. Earia Thompson testified Thompson tried to make sure the National Center for Missing and Exploited Children ("NCMEC") website was updated, and Detective Hansen testified that on 6/15/06, Thompson called the NCMEC to request that more fliers of Aaroné be sent to the local Wal-Mart in the Denver Metro area.

9 Officer Ed McKnight was one of the first officers to respond to 16551 East Kepner Place on November 15, 2005. He searched the house again, with the permission of Thompson and Lowe. He did not find Aaroné. He noted that when officers tried to talk to the children Lowe became agitated. For example, when Detective Mehl spoke to Rajon Russell, Lowe's younger brother, Lowe stared at them, made eye contact with Rajon and then became very angry at Detective Mehl for asking questions. She then yelled at him to stop talking to Rajon. McKnight reported that during the three days he was with Thompson and Lowe, neither of them asked to go look for Aaroné. He never told them not to do so.

10. Detective Shannon Lucy became involved in the case at 3:00 p.m. on November 15, 2005. She spoke to Aaron Thompson at the Kepner house. He pointed out the end of the couch where he said Aaroné was when Sister Mary Jo was there; he did not indicate that Aaroné was hiding. He said that when Aaroné disappeared, he was watching TV and that the TV volume was on fairly low. Thompson indicated that if Aaroné had opened the front door, he would have been able to hear it because the door was loud. This fact was independently confirmed by Detective R.J. Wilson, who listened from the living room as Detective Hansen opened the front door and the screen door. Detective Wilson reported that both made a loud squeaking sound.

Aaron Thompson told Detective Lucy that he took Aaroné to the park 2-3 years ago, but not since then. He could not name another place where she had been other than allegedly to the 7-11 store with him a few weeks prior. He could not name any adults or other children outside of the Kepner residence that had had contact with Aaroné for several years. Det. Lucy noted that Lowe appeared to be more concerned about losing the house than finding Aaroné.

11. Aaron Thompson and Shely Lowe reported that Aaroné had no friends.

12. The following is a summary of the testimony concerning the search conducted by APD for Aaroné Thompson:

Gary Michael Oliver: On November 14, 2005, Oliver was on duty at APD headquarters in Aurora, when Aaron Thompson appeared in lobby at approximately 2:00 p.m. to report a missing child. First Oliver searched the house for the missing girl, with another officer. They looked anywhere a small child could possibly hide. The officers did not find Aaroné. They left the residence and started checking the streets, parks, and surrounding area, but they did not find her. As soon as Oliver realized Aaroné was not in the home, he got other officer, including supervisors, from the geographical district involved.

Lt. Bob Stef: A more extensive search was organized, a mobile command post was set up, and emergency response was notified. APD conducted door to door searches, systematic searches and grid searches of the neighborhood. They contacted residents, looked in sheds and anywhere a small child could be. Stef noted that Thompson and Lowe could not give police any ideas or information about where to look for Aaroné. He noted in particular that Aaron Thompson displayed no emotion and gave matter of fact responses to the questions that were asked.

Lt. Stef notified the Colorado Bureau of Investigations ("CBI") requesting that an Amber Alert be issued. However, the case did not meet the criteria because 1) there was not an identified suspect; 2) police did not have a description of a suspect; and, 3) there was no description of a vehicle used in the kidnapping or in the incident. However, the only picture of Aaroné that had been provided by Aaron Thompson (the Grand Canyon photo), was shown on television and in the newspaper.

Captain Ricky Bennett: the emergency response team was called out on November 14, 2005, a reverse 911 was conducted, police used infrared equipment to look for heat sources, and officers looked in all nooks and crannies that a child could possibly hide, such as wood piles and sewers.

Captain Steven Lynn Marshall: became involved in the search on November 15, 2005 at 8:00 a.m. Extensive searching the night before had lasted until 3:00 or 4:00 a.m. however, police decided to begin searching again, even in areas that had been searched before. Again, APD knocked on doors, looked in buildings and backyards. Officers on foot covered roughly a square mile area and looked in boats, cars, any place small enough for a child to get into. Twenty to thirty officers walked the creek bed in the Tollgate Creek area and they searched dumpsters in the area. Officers checked many of the surrounding businesses surveillance tapes. Jefferson County Sheriff's Department searched with their bloodhounds. The FBI conducted an aerial search of the area, as did the Channel 9 helicopter. The police obtained a list of registered sex offenders in the area, and investigated those addresses. Between seventy to eighty officers were involved in the search.

The APD conducted the same types of searches on the 16th of November, however they expanded into the square mile north of the original search area where there were more empty fields, and followed Tollgate Creek even farther north. They had another fifteen to twenty people from the FBI assisting as well.

On November 18 and November 19, 2005 extensive searches were again performed of the Kepner home and Aaroné was not found. Additionally, a Necrosearch of the backyard of the Kepner home was conducted but did not reveal anything. APD did some digging in the backyard where there were indications of disturbance but did not find anything. The use of cadaver dogs revealed nothing and the attempted canine tracking found nothing. The NCMEC came to Aurora to assist with the search. Detectives Hansen and Fredericksen contacted Leah Terry,

Lowe's sister. She did not have any information on the whereabouts of Aaroné and a search of her house revealed nothing. Aaroné Thompson was never and has never been found.

13. Reported to be living in the house in November 2005, with Aaron Thompson, Shely Lowe, and Aaroné Thompson were: Aaron Thompson's son, Aaron Jr.; Shely Lowe's five children, Andrew Lowe, Kadezshia Smith, Tamara Lowe, Eric Williams, and Kaila Williams; as well as Shely Lowe's teen-aged brother, Rajon Russell. According to Thompson and Lowe, including Aaroné, there were a total of eight children living in the Kepner home at the time of Aaroné's disappearance. Yet, the police search of the home revealed only seven mattresses on eight bunk beds, seven pair of gloves recently purchased from a store on 11/2/05, seven toothbrushes in the kid's bathroom, and seven bags of Halloween candy.

14. Regarding the mattresses, on November 14, 2005, there were three mattresses in the girls' room and four mattresses in the boys' room. When asked about the seven mattresses, Aaron Thompson stated they only purchased seven. However, on December 12, 2005, police obtained a receipt from Bedroom Expressions which showed the purchase of eight mattresses in May 2002. Eric Williams Sr., father of Eric Williams, and Kaila Williams, reported that Lowe told him that one of the mattresses flew out of the truck when Thompson and Lowe brought them home. Eric Williams Jr. and Andrew Lowe both report the eighth mattress was thrown away after Aaroné disappeared. Thompson did not report to police when asked about the mattresses, that one had fallen out of the truck.

15. Aaroné was not enrolled in school, although based upon her age at the time she was reported missing (6, almost 7), she would have been in first grade. Aaron Thompson reported that she was not in school because he did not have her immunization records or her birth certificate. Thompson claimed they had been shredded by a washing machine in 2003. He was able to replace his own social security card, but not Aaroné's documentation. In a search of the Kepner home pursuant to search warrant on November 18, 2005, police found a blank Michigan Vital Records form for a replacement birth certificate, which was only required to be mailed. It was from October 2001. This contradicted Thompson's and Lowe's prior statements to police that they were required to actually go to the Department of Vital Statistics in Michigan in order to secure a replacement document for Aaroné to be able to enroll her in school.

School personnel reported there is a process by which a child may be enrolled without an immunization record.

Additionally, Kim Blanchard and Andrea Woods of The Department of Human Services were able to determine that Thompson and Lowe did, in fact, have a birth certificate for Aaroné. The TANF office, which is in the same building as DHS had a file on Lowe because she had requested assistance. In the file was a copy of Aaroné's birth certificate that Lowe had provided in either 2001 or 2002.

16. Sister Mary Jo Anzik from Catholic Charities visited the Thompson/Lowe home the morning of November 14, 2005 shortly after 11:00 a.m. She was there inspecting the entire

home (every room in the house), for about 45 minutes to an hour and reported that she never saw Aaroné. She noted all the windows of the home were closed (this was confirmed by police in their search). Additionally, neither Aaroné nor Aaron Jr.'s name appeared on any of the paperwork for the home, despite the fact that there was not a limit on how many people could live in the home – in fact the more people that lived there, the cheaper the rent would be. Paperwork, which did not include the names of the Thompson children, was filled out that day by Lowe, and Thompson signed it. Shelly Lowe and Aaron Thompson had resided in that home since January 2002.

When Sister Anzik called Lowe the next day, November 15, 2005, Lowe tried to convince her that she had seen Aaroné, that she had been sitting in the living room by the computer. Sister Anzik is certain she saw no child in the home, other than Kaila.

17. Police investigation/questioning of neighbors revealed that on September 1, 2005, Comcast workers Denise Ramirez and Carol Rodriguez went into the Kepner home on a service call and did not see Aaroné. None of the other neighbors had seen Aaroné, except Heather Bailey, a neighbor on South Ouray St. She reported that she thinks her children played with Aaroné and Tamara. The summer of 2003 was the last time she remembered seeing Aaroné.

18. Mary Lowe, Shely Lowe's mother, never saw Aaroné, spoke to her, or saw a picture of her. Lowe never talked about her – not even in a visit with Mary in Michigan in 2004 or 2003. Moreover, the other kids never talked to Mary Lowe about Aaroné. When she came to Colorado in November, she did not look for Aaroné, even though she was there for a week. Lowe never sent her pictures of the kids even though she asked for them constantly.

Rafael Lowe, Shely Lowe's brother, came to visit sometime in 2002 or 2003 and Lowe never mentioned Aaroné. Rajon never mentioned Aaroné to him either. Lowe never spoke about Aaroné to him at any other time.

19. Other than Rafael Lowe, no out-of-state relatives had visited Lowe and Thompson in Colorado since they moved into the Kepner residence in 2002. The only relative that had ever been invited to visit was Mary Lowe.

Earia Cloman, Aaroné's paternal grandmother, last saw Aaroné in Michigan before the family moved to Denver. Aaroné was two years old. Ms. Cloman was never told by her son Aaron Thompson or anyone else that Aaroné had supposedly returned to Michigan to live with her mother, Lynette. Her husband, Jesse Cloman, confirms that the last time he saw Aaroné she was a toddler.

20. On October 20, 2005, Officer Brukbacher of APD, responded to the home regarding Eric Williams Jr. fighting. He was in the home, and did not see Aaroné.

21. Aaroné's last documented medical appointment/treatment was at Aurora South Hospital on May 12, 2002 for an abscessed tooth.

22. The last known photograph of Aaroné was taken at the Grand Canyon in May, June or July of 2002. This was the only photograph Aaron Thompson could provide to the police when he reported his daughter missing. There were no other photographs of Aaroné Thompson located in the search of the home. The timeframe of the months of May, June or July 2002 was established by National Park Services Agent Joseph Sumner who determined based upon the shadows, growth of foliage, etc. that it was May, June or July. Police believe the year to be 2002 based upon records of Aaroné's hospitalization on May 2002 when she was 37 inches. Height approximation from the photograph at the Grand Canyon puts her at about 36 inches. Aaroné would have been approximately 3 1/2 years old at the time. The outfit Aaroné was wearing in the photograph was recovered from the Kepner home – it was a size 3T.

Eric Williams Sr. reports that Lowe told him about the Grand Canyon trip, and he remembers that it occurred in 2002. Tabitha Graves recalled the same timeframe.

23. The pair of pants that was provided to police in November 2005 by Lowe (after being obtained from the basement of the Kepner home by Kadezshia) identified as belonging to Aaroné when Aaroné was first reported missing was size 24 months. These pants were later confirmed to have been worn by Aaroné through DNA testing. DNA recovered from these pants produced a DNA profile for Aaroné based on the DNA profiles of Aaron Thompson and Lynette Thompson, Aaroné's biological parents.

24. Shely Lowe and Aaron Thompson both report on television that Aaroné was with them when they took trip to Florida in June 2005. All the children negate this, and in fact, Aaroné does not appear in any of the photographs from the Florida trip that were found in the home. Some undeveloped film found in the home was developed and Aaroné does not appear in any of those pictures either.

25. The Lowe/Thompson children report that they had been told Aaroné had been sent back to Michigan to live with her mother, Lynette Thompson. Lynette Thompson reported that this is not true. In November 2005, Detroit police confirmed Aaroné was not with Lynette Thompson.

26. Reverend Pacheco reported that around Halloween 2005, he received a Christmas list from the Lowe/Thompson family listing all of the children except Aaroné.

27. CBI tested many items collected from the home. Agent Yvonne Woods got Aaroné's DNA profile for comparison purposes from the waistband of a pair of pants that belonged to Aaroné (purple patterned pull-up pants). The tests revealed that none of Aaroné's DNA was found on the bedding from the mattress that Thompson and Lowe reported she slept on with Kaila. Aaroné's DNA was not found on a single toothbrush located in the home. Aaroné's DNA was not found on any of the Halloween witch masks found in the house, despite reports that Aaroné had been a witch for Halloween. CBI also tested a necklace Aaroné was alleged to have worn and a microphone from a play set she was alleged to have played with. Her DNA was not found on these items. In addition to the pants that Aaroné's DNA was found on, her DNA was

also found on two very small shoes - two mismatched shoes, as opposed to a pair. One was a pink Airfly slip-on, child size 7, and the other was a Bear, lace-up shoe, size 7. The single white shoe appears to be the shoe Aaroné is wearing in the Grand Canyon photograph. The shoe size, child 7, can be worn by children ages 3-9.

Urine is not a good source of DNA so CBI did not test the mattresses.

28. November 16, 2005, Eric Williams Sr. was contacted by the Aurora Police Department. He reported that Shely Lowe told him face to face in January 2004 that Aaroné Thompson had been in the bathtub, that she had died, and that Lowe and Aaron Thompson Sr. had buried Aaroné's body in a field in an unknown location. Eric Williams had shared this information with Donald Bruce, William Duckery, and Ronald McIntyre prior to any news media coverage in this case regarding the alleged "disappearance" of Aaroné Thompson.

Williams reported that Lowe told him while they were riding in the Expedition in late January, or early February 2004, while crying, that she done something bad. She explained that she and Aaroné were in the bathroom and that Aaroné just stopped breathing. Lowe then began sobbing and crying. She said she did nothing to the child, she tried to bring the child back to life by giving her mouth to mouth resuscitation, and when she couldn't do that she ran and got Aaron Thompson and that Thompson too tried to bring the child back to life. After they realized Aaroné was dead, they decided they would have to get rid of the body, because there was a scar on her back from where they had disciplined her. Lowe's main concern was that social services or police would take the other kids from her custody. While telling Williams this, Lowe was emotional and he was beating on the car door telling her not to tell him anymore. They pulled themselves together, he asked her why they did not call the authorities and she explained again how she did not want her other children to be taken away.

Lowe described that late that night they went out, "far away" leaving the other children home alone. Thompson dug a grave and she placed the child in there. She said that when they put the dirt over the child, the last breath of the child was coming out of her body. She said they took it to a field or something, and made a burial. They returned to the Kepner home later that same night.

Eric Williams Sr. reported that when Lowe told him what happened to Aaroné, she was an emotional wreck, crying, asking God to please forgive her.

Lowe also told him that when the grandparents would call from Michigan, she and Thompson would tell them Aaroné was asleep. Once they put Tamara on the phone to pretend to be Aaroné. Eric Williams Sr. believes this happened Christmas 2003.

Lowe also told him that she and Thompson told the kids that Aaroné went back home to Michigan to live with her mother. She told him of their original plan of her going to Florida, and Thompson going to Michigan and then saying Aaroné was kidnapped or that each one thought the other one had her.

William's opinion is that Aaroné died sometime in summer or fall of 2003 because, in November or December of 2003, Lowe visited Eric Williams, and at that time said she had something to tell him, but wanted to wait.

Eric Williams Sr. never saw Aaroné.

29. Velma Jean Belzaire, Shely Lowe's aunt, reported that in the summer of 2003, she believes July or August, she received a telephone call from Lowe. Lowe asked her "what happens if a child stops breathing?" Belzaire told Lowe to call 911, and Lowe reported that she couldn't because she was worried her children would get taken away. Belzaire knew Lowe was afraid of losing her children to the Department of Human Services. Lowe seemed anxious on the phone. Both Belzaire and Lowe were yelling. When Lowe indicated the child was passed out, Jean asked what precipitated the incident and Lowe told her that either she or Thompson was getting ready to discipline the child (his daughter) and she passed out. A couple days later Belzaire spoke to Lowe and asked if everything was okay. Lowe said, "I took care of it."

The next time Aaroné was mentioned by Lowe to Belzaire was in November 2005 when Lowe told Belzaire that Aaroné was missing.

Belzaire and Lowe spoke almost every day on the phone. In all those conversations, Lowe never mentioned Aaroné by name. She also never mentioned ever sending either of Thompson's children back to Michigan.

Belzaire does not have any photos of any of the children, despite requesting them from Lowe.

Belzaire will not take a polygraph about whether she knows more than she has told us.

30. Everyone who interacted with Lowe and Thompson described Lowe as the boss of the relationship.

COUNT FOURTEEN

CONTRIBUTING TO THE DELINQUENCY OF A MINOR

Between and including May 16, 2004 to April 5, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully and feloniously induced, aided, or encouraged Andrew Lowe, a child, to violate any state law namely: False Reporting to Authorities – Providing False Information, 18-8-111(1)(c), in violation of section 18-6-701, C.R.S.

COUNT FIFTEEN

CONTRIBUTING TO THE DELINQUENCY OF A MINOR

Between and including August 1, 2004 to April 5, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully and feloniously induced, aided, or encouraged Rajon Russell, a child, to violate any state law namely: False Reporting to Authorities – Providing False Information, 18-8-111(1)(c), in violation of section 18-6-701, C.R.S.

COUNT SIXTEEN

CONTRIBUTING TO THE DELINQUENCY OF A MINOR

Between and including May 16, 2004 to April 5, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully and feloniously induced, aided, or encouraged Kadezshia Smith, a child, to violate any state law namely: False Reporting to Authorities – Providing False Information, 18-8-111(1)(c), in violation of section 18-6-701, C.R.S.

COUNT SEVENTEEN

CONTRIBUTING TO THE DELINQUENCY OF A MINOR

Between and including May 16, 2004 to April 5, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully and feloniously induced, aided, or encouraged Tamara Lowe, a child, to violate any state law namely: False Reporting to Authorities – Providing False Information, 18-8-111(1)(c), in violation of section 18-6-701, C.R.S.

COUNT EIGHTEEN

CONTRIBUTING TO THE DELINQUENCY OF A MINOR

Between and including May 16, 2004 to April 5, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully and feloniously induced, aided, or encouraged Eric Williams Jr., a child, to violate any state law namely: False Reporting to Authorities – Providing False Information, 18-8-111(1)(c), in violation of section 18-6-701, C.R.S.

COUNT NINETEEN

CONTRIBUTING TO THE DELINQUENCY OF A MINOR

Between and including May 16, 2004 to April 5, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully and feloniously induced, aided, or encouraged Aaron Thompson Jr., a child, to violate any state law namely: False Reporting to Authorities – Providing False Information, 18-8-111(1)(c), in violation of section 18-6-701, C.R.S.

COUNT TWENTY

CONTRIBUTING TO THE DELINQUENCY OF A MINOR

Between and including May 16, 2004 to April 5, 2007, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully and feloniously induced, aided, or encouraged Kaila Williams, a child, to violate any state law namely: False Reporting to Authorities – Providing False Information, 18-8-111(1)(c), in violation of section 18-6-701, C.R.S.

COUNT TWENTY-ONE

CONSPIRACY TO COMMIT CONTRIBUTING TO THE DELINQUENCY OF A MINOR – FALSE REPORTING TO AUTHORITIES

Between and including November 1, 2005 to May 12, 2006, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of Contributing to the Delinquency of a Minor – False Reporting to Authorities, unlawfully and feloniously agreed with Shely Lowe, that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-8-111(1)(c), 18-6-701, and 18-2-201, C.R.S.

1. The overt act was directing and coaching the children to lie to the police about Aaroné's presence in the home on and prior to November 14, 2005.

The facts supporting Counts Fourteen through Twenty-One are:

1. All of the facts supporting all other counts in this Indictment are incorporated in Counts Fourteen through Twenty-One by this reference.
2. When initially questioned, the Thompson/Lowe children all report that Aaroné had been home the morning of November 14, 2005. They describe what she is wearing, what her favorite food is, what she was for Halloween and what her favorite color was. Eric Williams Jr. does this without even being asked. Ultimately, the children report that Lowe called them all into her bedroom on November 15, 2005 (some report Thompson Sr. was present, some report that he

was not), and told them to tell the police these things. Kadezshia describes her mother as crying at this time. Other children describe Lowe as serious.

After admitting the above were lies, the children report that they have not seen Aaroné in quite some time. Rajon, who came to Colorado in August 2004, admits he has never seen her. Each of the children in their testimony indicated the last time they saw Aaroné she looked like she does in the Grand Canyon photo. She never got any bigger than that when they knew her. Andrew and Kadezshia say that shortly after the Grand Canyon trip is when Aaroné stopped living with them.

The children report that when Aaroné disappeared from their home, they were told by Lowe and Thompson that she went to Michigan to live with her mother, however, all her clothes and toys were still at their house. Andrew reports he once asked Thompson Sr. where she was and Thompson Sr. told him not to worry about it. None of the children saw her again or spoke with her either in person or on the telephone.

3. Despite reports by Aaron Thompson Sr. and Shely Lowe that Aaroné shared the mattress that Kaila slept on in the girl's room, Kaila stated to Julie Herzog of the Department of Human Services, on 11/23/05 that Aaroné does not sleep in her bed; she is the only one that sleeps in her bed.

4. Lynette Thompson has not seen nor spoken to Aaroné since approximately October 2001. Thompson Sr.'s phone number changed and communication between them ceased in 2002.

5. Even though Lowe and Thompson Sr. told the children Aaroné had gone to Michigan to live with her mother, all her clothes and all her toys remained in the house on Kepner. On November 14, 2005, when Thompson Sr. and Lowe told the children Aaroné had come back from Michigan, she allegedly appeared with no suitcases, no bags, nothing.

6. In November 2005, Alvertis Simmons became involved with Shely Lowe and Aaron Thompson Sr.. He accompanied Lowe and Thompson to Defense Attorney Walter Gerash's office in December 2005. While Lowe was with Mr. Gerash speaking to him, Simmons and Thompson were in the waiting room. Simmons received a phone call and the caller told him that there was an e-mail floating around saying they have found Aaroné. Simmons asked the caller where they found her. The caller answered, in the backyard. Simmons then told Thompson, the Aurora police found your baby. Thompson put his head down, started shaking it up and down, nodding, for about 30 seconds, then lifted his head up and said, where? Simmons answered, the back yard. Thompson put his head down again, shook his head, and said there is no way they could have found her in the backyard.

Simmons observed no emotion. Thompson just sat there, looking at Simmons. All he could say after that was "I have to wait for Shely." Thompson would not make any decisions to do anything without Lowe.

Simmons never saw either of them look for Aaroné during his interaction with them. He found they did not have the drive or the energy, and they had an excuse for everything that came up. He never saw either one get upset or cry about Aaroné. In contrast, when Simmons saw Thompson at the hospital after Lowe died, Thompson's face was ashy and he looked like he was lost - he was expressing emotion.

7. Tabitha Graves, the only known friend of Shely Lowe, reports that in the summer or fall of 2004 she was talking to Shely Lowe in her car. Lowe was very upset. Lowe told her that she had wanted to tell her something for a long time. She begged Tabitha not to tell her mother. Lowe started crying really hard and said a family member of hers was dead. Tabitha asked who, and Lowe told her that a while ago, Aaroné did not come down for breakfast. They decided to let her sleep. After a while, Lowe went to check on Aaroné Thompson in the bedroom and Aaroné appeared to be sleeping, as she was not moving. Lowe tried to wake her up, and she did not move. Aaroné was not breathing. Lowe said she yelled for Aaron Thompson Sr., who came in, asked Lowe what she did to Aaroné, and then told her to get out of the room. They had a discussion wherein they decided not to call 911. Thompson Sr. was in the room with Aaroné for about an hour, then he came out of the bedroom carrying Aaroné in a blanket. Thompson told Lowe not to call the police or 911. He then took Aaroné out to their car, a Ford Expedition, left with Aaroné's body, and was gone a long time.

Lowe told Tabitha while Thompson was in the room with Aaroné, Lowe called her Aunt Jean, who told her "Shely don't do this - it is not too late."

Tabitha reported that when Lowe told her this she was crying which was unusual for Lowe. Lowe was crying so hard she was losing her breath, her veins were sticking out of her forehead, and she had tears and snot. She was crying and shaking. Tabitha described her as very, very upset. Tabitha had never seen her like that either before or since.

Lowe told her it had happened months before (which would be months before the summer of 2004).

Tabitha asked Lowe why she did not call the police and Lowe said because she did not want her kids to be taken from her. She said she did not do something to the baby she was just scared. She said that Thompson wanted to call the police at first, but Lowe told him she did not want them to take her kids and that is when he locked himself in the room with Aaroné

She told Tabitha she might see an Amber Alert on Aaroné. Lowe said they were thinking of different scenarios of how they were going to pull off Aaroné not being there. She said she and Thompson had told the other kids that they had sent Aaroné back to Michigan to live with her mom.

Tabitha Graves then engaged in a number of taped conversations with Shely Lowe and the following pertinent information was stated by Lowe in those conversations:

- * She tells Tabitha that she told the kids Aaroné had gone to Michigan to live with her mother.
- * She tells Tabitha, if you tell on me I will go to jail, Thompson could get the death penalty and the kids will go to social services.
- * Tabitha asks Lowe to put flowers on Aaroné's grave, and Lowe says I'll have Aaron do it.
- * Lowe tells her she'll get five years for hiding the fact that the baby died.
- * They discuss the fact that Lowe and Thompson did not call 911.
- * Lowe says she is saving her kids; she tells Tabitha that she is fighting for survival for her and her kids.
- * Lowe tells Tabitha that if Tabitha talks to the police, it means death for Thompson.
- * Lowe talks about being afraid to go to jail. She wants Tabitha to give her a heads up if she decides to talk to the police; Lowe expresses anger for having confided in Tabitha.
- * Lowe agrees with Tabitha that she told her it appeared Aaroné died of natural causes.
- * Lowe tells Tabitha everyone says she is going to flip Thompson. She says his attorney said he was looking at the death penalty and she was looking at twenty-five plus.
- * Lowe tells Tabitha that the police have nothing. She scoffs at the fact that they think she dug dirt!
- * Tabitha tells Lowe she hasn't done anything – Lowe responds “but I have hidden it.”
- * Tabitha confronts Lowe on the fact that she told Eric Sr. something different than she told Tabitha. Lowe admits to mixing stories up to see how Tabitha reacted.
- * Lowe promises Tabitha she will have Thompson go put flowers on Aaroné's grave.
- * Lowe tells Tabitha that she is afraid of God dealing with her.
- * Lowe begs Tabitha not to sacrifice the other eight children for the one.
- * Lowe tells Tabitha that she is just looking at some scared mother-fuckers who went one way. She says, “I wanted to go the correct way. You looking at some scared mother fuckers who looked at the other consequences. I tried to deal with it when it happened. There was to be no hiding – I wanted to deal with it.”
- * Lowe confirms that when blood was found between _____ legs, Thompson Sr. kicked _____ ass. This is why she “went the other way,” because if _____ was checked out they would know something else was going on and her kids would have “gone down.”
- * When Tabitha says “Aaroné is dead,” Lowe says “How do you know that?” Tabitha says, “Because you told me she was.” Lowe says, “ok, ok, ok.”

Tabitha has not seen Aaroné since September 2001. She said Aaroné was probably two years old the last time she saw her.

Tabitha knows they (Lowe and Thompson and family) went to the Grand Canyon in 2002.

Tabitha noted that Lowe did not like Aaroné. She said she was a baby, did not follow the rules, and she had a hard time disciplining her.

8. The day Aaroné was reported missing, on Nov. 14, 2005, the children report that after school, they were told by Lowe that Aaroné came back from Michigan and then ran away. Kadezshia reported that after her mom told her Aaroné was missing, they then drove to the mall to get Lowe's favorite cookies.

9. Kadezshia reported to her therapist, Vicki Kearney, that she remembers the last time she saw Aaroné. She could not remember when it was (although she reported at Sungate it was summer 2003) but Lowe and Thompson used to punish Aaroné for peeing by putting her in the coat closet by the front door. Sometimes it would be part of the day, sometimes it would be part of the day and all through the night. Kadezshia remembers that the last time she saw Aaroné, she was in the closet and was going to be there all night as punishment for peeing. Kadezshia hated Aaroné being in the closet, and Aaroné would stick her little fingers out from underneath the door. Kadezshia would rub Aaroné's fingers to let her know someone was out there for her. The last time Kadezshia saw Aaroné, she did this then went to bed. The next morning, she woke up and was making breakfast. Aaroné did not come down for breakfast. Thompson Sr. or Lowe told her Aaroné had gone to live with her mom in Michigan.

Kadezshia later remembered the last time she saw Aaroné, Kadezshia was in the upstairs bathroom - the children's bathroom - cleaning. Thompson Sr. brought Aaroné in the bathroom and was mad at her because she had peed herself. Thompson Sr. told Kadezshia to leave. Kadezshia went into her room. She heard water running. It sounded like it was from the sink as opposed to the bathtub.

On May 11, 2007, Vicki Kearney sought clarification as to whether Kadezshia last saw Aaroné in the bathroom or in the closet. Kadezshia reported that the last time was in the bathroom. She remembers seeing Aaroné in the closet on numerous occasions. Vicki Kearney advised Detective Hansen that Kadezshia is starting to remember more and this is a normal part of the therapy process.

Kadezshia reported that after Aaroné disappeared, she noticed that there was a bag of Aaroné's things that someone had put into the basement. She recalls that November 14, 2005, when the police were at the Kepner home on a missing child report, she was asked to get something of Aaroné's, and she went to that bag in the basement and took something out. Kadezshia also reports that after the police were called, Lowe instructed her to take some of Aaroné's clothes from the bag in the basement and mix them in with the clothes in the girl's room.

Kadezshia remembers that after [redacted] disappeared, Lowe told Thompson Sr. not to "whoop" [redacted] so hard. She also does not remember [redacted] ever having to go back into the closet for punishment after [redacted] was gone.

10. Tamara recalls that the last time she saw [redacted] she saw her in the morning. Both [redacted] and [redacted] had been punished and made to spend the night in the front door closet. Tamara got up and got ready for school, and went to the closet to get [redacted] up to get ready for school. When she opened the door of the closet, she saw [redacted] lying on the floor of the closet. She thought [redacted] was asleep.

11. Colorado Bureau of Investigations DNA testing on swabs taken from the front closet door of the Kepner home showed:

- a. On a swab from the interior bottom of the closet door, [redacted] DNA and [redacted] DNA;
- b. On a swab from the north wall of the closet interior, [redacted] DNA and [redacted] DNA;
- c. On a swab from the north interior door frame of the closet, [redacted] DNA;
- d. On a swab from the bottom edge of the closet door, [redacted] DNA.

12. Eric Williams Sr. reported that in July, August, September or October 2003 he was in Ordway, and would call Lowe on the phone. She never put the kids on the phone but one time he heard her chastising Aaroné, giving Aaroné a time-out, and she was telling her to go sit in a closet.

13. On April 11, 2007, Detectives Randall Hansen and Todd Fredericksen met with Andrew Lowe. Also present were Andrea Woods and Kim Blanchard, his caseworkers. Pursuant to his request, they played Lowe's voice from some of the portions of her conversations with Tabitha Graves.

Andrew was then asked what he remembered about what happened to Aaroné. He reported that the last night he remembered Aaroné being in the house, he was 11 years old, which would have been between 3/10/02-3/10/03. He was in bed and he woke up because he heard Aaroné getting a "whoopin". (NOTE: each of the Thompson/Lowe children refers to physical discipline in the home, either by use of hands, belt, bat, or cords as getting a "whoopin." Thus hereinafter, this is the word that will be used to describe such physical discipline in that household). He thought it was in the basement because he could hear her screaming. He heard the screams echoing through the vents from the basement. He had a vent next to his bed. Also, he reported that the basement is where they got "whooped." Aaroné stopped screaming at some point and it went dead silent. He then heard Thompson Sr. say "shit." He then saw his mother walk out of her bedroom, down the hall, then down the stairs.

Follow-up investigation performed by Detectives Hansen and Fanning revealed that there is an air vent on the floor in the Kepner residence where Andrew's bed was located. Additionally, when Detective Hansen played an audio of a crying baby in the basement at

decibel levels 62-84 (1/4 volume to full volume), Detective Fanning, who was standing in the boy's bedroom at the approximate location of Andrew's bed, could hear the baby crying at all decibel levels from 70-84 (which is half volume to full volume).

The next day or the day after, Andrew asked his mom where Aaroné was. Lowe was brushing his hair. She dropped the brush, and stated Aaroné was now living in Michigan wither mom. After that if anyone asked about Aaroné they would get cussed out. Andrew remembers a bad smell in the basement two or three days after that, which lasted a couple of weeks.

He also remembers an old shovel that was in the backyard by some sticks. The shovel disappeared sometime after Aaroné was supposedly living in Michigan.

Andrew reported that they used to have eight mattresses in the children's bunk beds, but after Aaroné left, Andrew was told by Lowe to take Aaroné's mattress down to the garage, which he did. It disappeared after that.

Andrew reported that sometime after all this happened, Lowe was watching a lifetime movie about a little girl getting shot and the parents went and buried the child. When the parents buried the child on the TV show, Lowe started to react – she got up really quickly and turned off the TV.

Also after all this, Andrew reported that Lowe began going to church – Heritage Christian. She also started praying at night, which was not usual for her.

14. Aaroné Thompson had a problem with bedwetting and wetting herself. Kadezshia reported Aaroné Thompson used to wet the bed a lot, almost nightly, and it was Lowe's responsibility to clean up Aaroné after she wet the bed. Lowe would get frustrated. Aaroné would have to be bathed if she wet the bed. Kadezshia would get her mom or Thompson Sr. when that happened. They would clean it up and then put Aaroné in the bath. One time during this Kadezshia heard Thompson Sr. give Aaroné a "whoopin." This happened in the middle of the night when Aaroné wet the bed.

Tamara observed that Aaroné got "whooped" with a belt by Thompson Sr. for peeing in the closet. Aaroné was told to get in the bath after the "whooping" and she was crying. Thompson Sr. would say, before Aaroné was gone, that they could not take care of her because she would pee herself. Tamara reports that Aaroné would pee on herself inside the closet. She reports that when Aaroné did this is when Lowe and Thompson Sr. sent her to go live with her mother in Michigan. When Aaroné would pee in the bed, Lowe would get really mad.

Andrew recalls that Aaroné would wet the bed sometimes.

Aaron Jr. recalls that Aaroné had a problem with wetting the bed and she would get washed in the bath or the shower.

Eric Williams Jr. recalls that Aaroné would have accidents in the bed and the bed smelled and this would make Thompson Sr. mad. Eric reports that Aaroné had to go live in Michigan because she was bad.

15. Gail McKenzie, Andrew Lowe and Eric Williams Jr.'s foster mom, stated that Andrew told her he had been told by Thompson Sr. that if anything happens he will get the death penalty. She also noticed that Thompson Sr. gave Andrew a nice watch at one of the supervised social service visits at the end of September 2006.

16. Lowe kept the children out of school for at least a week following November 14, 2005. Kadezshia stated that when the police were still in the house, Lowe told Kadezshia not to trust the police – she said they will trick you into stuff, do not let them.

17. Andrew Lowe reported that his mom told him that she might go to jail for a long time and Thompson Sr. might get the death penalty. She told him Thompson had more to do with Aaroné. She told him these things in the context of coaching him to lie to the police.

18. Aaron Thompson Jr. was told by Lowe and Thompson Sr. that he was not to talk about things that went on in their house.

19. Thompson Sr. had been meeting with both Rajon and Andrew outside of the supervised visits, in violation of the Court order.

COUNT TWENTY-TWO

CHILD ABUSE – RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including, May 16, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Kadezshia Smith, that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

COUNT TWENTY-THREE

CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including, May 16, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Tamara Lowe, that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

COUNT TWENTY-FOUR

CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including, May 16, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Eric Williams Jr., that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

COUNT TWENTY-FIVE

CHILD ABUSE – RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including May 16, 2002 to November 17, 2005 in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Andrew Lowe, that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

COUNT TWENTY-SIX

CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including, May 16, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Aaron Thompson Jr., that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

COUNT TWENTY-SEVEN

CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including, May 16, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Kaila Williams., that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

COUNT TWENTY-EIGHT

CHILD ABUSE – RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including May 16, 2002 to August 31, 2004, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Aaroné Thompson, that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

1. Andrew Lowe described an incident where Aaroné was not eating and Thompson Sr. hit her in the face with a folded magazine. This occurred in the kitchen, at the kitchen table at the Kepner residence.

COUNT TWENTY-NINE

CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including, May 16, 2002 to August 31, 2004, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Aaroné Thompson., that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

1. Kaila Williams described an incident when Aaroné peed in the closet by the front door. Shely Lowe got mad and Thompson Sr. then “whooped” Aaroné with the belt.

COUNT THIRTY

CHILD ABUSE RESULTING IN INJURY - KNOWINGLY OR RECKLESSLY

Between and including, August 1, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Rajon Russell., that resulted in any injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(V), C.R.S.

1. Rajon Russell described a “whoopin” by Shely Lowe that happened in the basement where he was hit five times with a belt all over his body.

COUNT THIRTY-ONE

ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury

to another, unlawfully and feloniously caused serious bodily injury to Eric Williams Jr., in violation of section 18-3-203(1)(g), C.R.S.

1. Eric Williams Jr. described a “whoopin” which caused an injury leaving a scar on the inside of his left arm.

COUNT THIRTY-TWO

CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY- KNOWINGLY OR RECKLESSLY

Between and including April 1, 2002 to August 1, 2004, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Eric Williams Jr., and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(III), C.R.S.

1. Eric Williams Jr. described a “whoopin” which resulted in an injury leaving a scar on the inside of his left arm.

COUNT THIRTY-THREE

ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury to another, unlawfully and feloniously caused serious bodily injury to Eric Williams Jr., in violation of section 18-3-203(1)(g), C.R.S.

1. Eric Williams Jr. described a “whoopin” which caused an injury or injuries leaving scars on his right lower leg.

COUNT THIRTY-FOUR

CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY

Between and including May 16, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Eric Williams Jr., and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper

medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(III), C.R.S.

1. Eric Williams Jr. described a “whoopin” which resulted in an injury or injuries leaving scars on his right lower leg.

COUNT THIRTY-FIVE

ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005 in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury to another, unlawfully and feloniously caused serious bodily injury to Eric Williams Jr., in violation of section 18-3-203(1)(g), C.R.S.

1. Eric Williams Jr. described a “whoopin” which caused an injury or injuries leaving two scars on the front of his left knee.

COUNT THIRTY-SIX

CHILD ABUSE – RESULTING IN SERIOUS BODILY INJURY- KNOWINGLY OR RECKLESSLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Eric Williams Jr., and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(III), C.R.S.

1. Eric Williams Jr. described a “whoopin” which resulted in an injury or injuries leaving two scars on the front of his left knee.

COUNT THIRTY-SEVEN

ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury to another, unlawfully and feloniously caused serious bodily injury to Eric Williams Jr., in violation of section 18-3-203(1)(g), C.R.S.

1. Eric Williams Jr. described a “whoopin” which caused an injury leaving a scar on the back of his upper right leg.

COUNT THIRTY-EIGHT

CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Eric Williams Jr., and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(III), C.R.S.

1. Eric Williams Jr. described a “whoopin” which resulted in an injury leaving a scar on the back of his upper right leg.

COUNT THIRTY-NINE

ASSAULT IN THE SECOND DEGREE RESULTING IN SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury to another, unlawfully and feloniously caused serious bodily injury to Eric Williams Jr.; in violation of section 18-3-203(1)(g), C.R.S.

1. Eric Williams Jr. described a “whoopin” which caused an injury leaving a scar on his back.

COUNT FORTY

CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Eric Williams Jr. and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(III), C.R.S.

1. Eric Williams Jr. described a “whoopin” which resulted in an injury leaving a scar on his back.

COUNT FORTY-ONE

ASSAULT IN THE SECOND DEGREE – SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe, with intent to cause bodily injury to another, unlawfully and feloniously caused serious bodily injury to Andrew Lowe, in violation of section 18-3-203(1)(g), C.R.S.

1. Andrew Lowe described a “whoopin” which caused an injury leaving a scar on the outside of his left knee.

COUNT FORTY-TWO

CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Andrew Lowe, and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(III), C.R.S.

1. Andrew Lowe described a “whoopin” which resulted in an injury leaving a scar on the outside of his left knee.

COUNT FORTY-THREE

ASSAULT IN THE SECOND DEGREE RESULTING IN SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury

to another, unlawfully and feloniously caused serious bodily injury to Andrew Lowe.; in violation of section 18-3-203(1)(g), C.R.S.

1. Andrew Lowe described a “whoopin” which caused an injury leaving a scar on left shin/ankle.

COUNT FORTY-FOUR

CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Andrew Lowe, and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(III), C.R.S

1. Andrew Lowe described a “whoopin” which resulted in an injury leaving a scar on left shin/ankle.

COUNT FORTY-FIVE

ASSAULT IN THE SECOND DEGREE RESULTING IN SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury to another, unlawfully and feloniously caused serious bodily injury to Andrew Lowe; in violation of section 18-3-203(1)(g), C.R.S.

1. Andrew Lowe described a “whoopin” which caused an injury leaving a scar on his right forearm.

COUNT FORTY-SIX

CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Andrew Lowe, and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper

medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of section 18-6-401(1)(a),(7)(a)(III), C.R.S.

1. Andrew Lowe described a “whoopin” which resulted in an injury leaving a scar on his right forearm.

COUNT FORTY-SEVEN

ASSAULT IN THE SECOND DEGREE RESULTING IN SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury to another, unlawfully and feloniously caused serious bodily injury to Andrew Lowe.; in violation of section 18-3-203(1)(g), C.R.S.

1. Andrew Lowe described a “whoopin” which caused an injury leaving a scar on the back of his left elbow.

COUNT FORTY-EIGHT

CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY OR RECKLESSLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Andrew Lowe, and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries, that resulted in serious bodily injury to the child; in violation of Section 18-6-401(1)(a),(7)(a)(III), C.R.S

1. Andrew Lowe described a “whoopin” which resulted in an injury leaving a scar on the back of his left elbow.

COUNT FORTY-NINE

CONSPIRACY TO COMMIT CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - KNOWINGLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of Child Abuse Resulting in Serious Bodily Injury – Knowingly, unlawfully agreed with Shely Lowe, that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-6-401(1)(a),(7)(a)(III), C.R.S and 18-2-201, C.R.S.

1. The overt act is the abusive punishment which resulted in Serious Bodily Injury to Eric Williams Jr. and Andrew Lowe.

COUNT FIFTY

CONSPIRACY TO COMMIT CHILD ABUSE RESULTING IN SERIOUS BODILY INJURY - RECKLESSLY

Between and including January 1, 2002 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of Child Abuse Resulting in Serious Bodily Injury –Recklessly, unlawfully agreed with Shely Lowe, that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-6-401(1)(a),(7)(a)(III), C.R.S and 18-2-201, C.R.S.

1. The overt act is the abusive punishment which resulted in Serious Bodily Injury to Eric Williams Jr. and Andrew Lowe.

COUNT FIFTY-ONE

CONSPIRACY TO COMMIT ASSAULT IN THE SECOND DEGREE - SERIOUS BODILY INJURY

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of assault in the second degree, unlawfully and feloniously agreed with Shely Lowe that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the

conspiracy was committed by one or more of the conspirators; in violation of sections 18-3-203(1)(g) and 18-2-201, C.R.S.

1. The overt act is the infliction of Serious Bodily Injury upon Eric Williams Jr. and Andrew Lowe.

COUNT FIFTY-TWO

ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON

Between and including September 1, 2005 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury to another, unlawfully and feloniously caused bodily injury to Aaron Thompson Jr., by means of a deadly weapon, namely: a bat; in violation of section 18-3-203(1)(b), C.R.S.

1. Aaron Thompson Jr. was hit with the baseball bat as punishment for running away from home.

COUNT FIFTY-THREE

ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe with intent to cause bodily injury to another, unlawfully and feloniously caused bodily injury to Andrew Lowe, by means of a deadly weapon, namely: a bat; in violation of section 18-3-203(1)(b), C.R.S.

1. Andrew Lowe was hit with the baseball bat as punishment for breaking a vase.

COUNT FIFTY-FOUR

ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe, with intent to cause bodily injury to another, unlawfully and feloniously caused bodily injury to Andrew Lowe, by means of a deadly weapon, namely: bat; in violation of section 18-3-203(1)(b), C.R.S.

1. Andrew Lowe was hit with the baseball bat as punishment after being accused of eating some of his mother's cereal.

COUNT FIFTY-FIVE

ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe, with intent to cause bodily injury to another, unlawfully and feloniously caused bodily injury to Andrew Lowe, by means of a deadly weapon, namely: bat; in violation of section 18-3-203(1)(b), C.R.S.

1. Andrew Lowe describes an incident during which Thompson hit him repeatedly with the baseball bat on the feet and ankles, leaving Andrew unable to walk for a period of time.

COUNT FIFTY-SIX

ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe, with intent to cause bodily injury to another, unlawfully and feloniously caused bodily injury to Andrew Lowe, by means of a deadly weapon, namely: bat; in violation of section 18-3-203(1)(b), C.R.S.

1. Andrew Lowe describes being beat with the baseball bat on an occasion that left a scar on his left knee.

COUNT FIFTY-SEVEN

ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe, with intent to cause bodily injury to another, unlawfully and feloniously caused bodily injury to Andrew Lowe, by means of a deadly weapon, namely: bat; in violation of section 18-3-203(1)(b), C.R.S.

1. Andrew Lowe describes being beat with the baseball bat on an occasion that left a scar on his left elbow.

COUNT FIFTY-EIGHT

ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe, with intent to cause bodily injury to another, unlawfully and feloniously caused bodily injury to Andrew Lowe, by means of a deadly weapon, namely: bat; in violation of section 18-3-203(1)(b), C.R.S.

1. Andrew Lowe describes being beat with the baseball bat on an occasion that left a scar on his lower back.

COUNT FIFTY-NINE

ATTEMPTED ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson and Shely Lowe, by engaging in conduct constituting a substantial step toward the commission of assault in the second degree, with intent to cause bodily injury to another, unlawfully and feloniously attempted to cause bodily injury to Eric Williams Jr., by means of a deadly weapon, namely: bat; in violation of sections 18-3-203(1)(b) and 18-2-101, C.R.S.

1. Andrew Lowe describes an incident during which his brother Eric Williams Jr. was being punished. Andrew states that he saw Thompson pick up the baseball bat to use on Eric. Andrew states he deliberately broke an item of glass in order to interrupt the punishment of Eric and redirect the attention of Thompson and Lowe toward himself.

COUNT SIXTY

CONSPIRACY TO COMMIT ASSAULT IN THE SECOND DEGREE-DEADLY WEAPON

Between and including May 16, 2004 to November 17, 2005, in and triable in the County of Arapahoe, State of Colorado, Aaron Thompson, with the intent to promote or facilitate the commission of the crime of assault in the second degree, unlawfully and feloniously agreed with Shely Lowe that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-3-203(1)(b) and 18-2-201, C.R.S.

1. The overt act is the infliction of injury upon Eric Williams Jr. and Andrew Lowe by means of a baseball bat.

The facts supporting Counts Twenty-two through Sixty are:

1. All of the facts supporting all other counts in this Indictment are incorporated in Counts Twenty-two through Sixty by this reference.

2. Eric Williams Sr. reported that Lowe, as a mother, loved her kids but she had an abusive mother and sometimes she would out step her boundaries in her anger. She would do things just out of reaction before she thought about it. He saw her throw a shoe at the kids once. Eric and Lowe used to discipline the kids with a belt.

3. Lynette Thompson described Thompson Sr. as having a temper. She reported that they would discipline the kids with a belt. She never saw any physical injuries on Aaroné as a result.

4. Shaunterius Johnson described that Lowe seemed jealous of Thompson's children. Lowe never played with Aaroné, and seemed jealous of her. She also saw Thompson Sr. beat Aaron Jr. once with a brush.

5. Kenyatta Fields described seeing Thompson Sr. beat Aaron Jr. with a belt, and then closed fist punch him a few times – Aaron Jr. would have been six at the time. Both Kenyatta Fields and Shaunterius Johnson reported that Aaroné was alive when they returned to Michigan in Spring 2001.

6. Kam Clodfelter, a former friend of Lowe's, reported that she had seen Lowe hit Kaila over the head with a liter bottle of coke and shake Kaila violently. Clodfelter observed Lowe put her kids in diapers on road trips or when they were out "working" so they would not have to stop for the kids to go to the bathroom.

7. Gail McKenzie, foster mother of Andrew Lowe and Eric Williams Jr., stated that Andrew and Eric spoke to her about the beatings at their house. They said when they did something bad, they had to go downstairs in the basement, take their clothes off, and get the "beat down."

Andrew talked about one day getting home from school and the music was on in the basement. He went down there and the lights were out and he got beaten by his mom. Eric agreed they got beatings and sometimes it was so bad he did not go to school for a week or so. They also had to stand on the fireplace and hold a telephone book. When one was being beaten in the basement the others were not supposed to go down there. Sometimes Aaron Jr. would ask Lowe what she was doing and he would then get beaten too.

Andrew and Eric talked about a belt being used in the beatings. They discussed that Thompson Sr. would beat them too. Sometimes Thompson Sr. and Lowe would take turns.

8. Andrew Lowe reported to Rachel Nunez of APD on November 16, 2005, severe degrees of punishment at the hands of both Thompson and Lowe. He testified that discipline consisted of whacks on the hands with a belt. When they had done something really bad, they had to go in the basement where they got a "whoopin" on the butt with a belt. Lowe tried telephone cords tied together a few times and did not like it. Otherwise they had to stand on the fireplace and face the wall. Sometimes before she would take them to the basement to discipline them, she would say "I am going to jail tonight!" Thompson would do the "whoopins" too although he did not like it as much.

9. Rajon Russell spoke at APD of Lowe threatening him with a baseball bat.

10. Kadezshia Smith spoke to Detective Nunez on November 16, 2005 of punishment, and spoke about a broomstick being used. Aaron Thompson Sr. corroborated the use of a broomstick

for discipline in his own interview at APD. At the police department, Kadezshia admitted she is afraid of both Thompson and Lowe.

Kadezshia discussed an incident when she was making peanut butter and jelly sandwiches for the kids, and Lowe gave her bloody nose and black eye. This incident was corroborated by Tamara.

Kadezshia discussed that one time Aaron Jr. did something to Aaroné that caused her to bleed, and Thompson Sr. gave him a “whoopin.” She described that a “whoopin” is usually with a belt on the hands or on the back. Sometimes it would happen in the basement with clothes off – Thompson Sr. did those kinds of “whoopins.” She has gotten one, Andrew has gotten one, and Eric had gotten one. The children also got “whooped” with cords on their hands by Thompson Sr.. Sometimes her mom would sit there and watch. Sometimes she would tell Thompson Sr. to do the “whoopins.” Thompson Sr. would not do anything to her unless Lowe told him to do it. Kadezshia described that when Thompson Sr. first moved in with them he was nice and gentle. She never saw him beat anybody when they first started living together.

According to Kadezshia, she, Andrew, and Aaron Jr. were usually the ones to get the “whoopins.”

Kadezshia described that Andrew got a “whoopin” with an extension cord or broom and one time she heard that he was hit with a baseball bat. On one occasion Andrew ate Lowe’s cereal and Thompson Sr. hit Andrew on his hands with the skinny part of the baseball bat. Andrew’s hands were puffy after this. Kadezshia also reported a time Thompson Sr. was in living room beating Andrew. The other kids were there and Lowe started laughing and telling all the kids to laugh at Andrew with her.

Aaron Jr. was “whooped” by Thompson Sr. in the basement. On one occasion Aaron Jr. had to stay home from school after a “whoopin” because Lowe and Thompson were afraid someone would notice the marks if they went to school.

Kadezshia saw Thompson Sr. hit Aaron Jr. with the bat. Aaron Jr. had a mark on his arm. Aaron Jr. also had marks on the outsides of his legs from being hit with the extension cord or belt.

Kadezshia reported to Vicki Kearney that one time Aaron Jr. was tied to the pole, naked in the basement. Thompson Sr., who was in the basement beating Aaron Jr., yelled for a glass of water. Kadezshia took a glass of water to Thompson Sr. who gulped it down, then said “I am ready for more, are you?”

Kadezshia discussed a time Lowe beat Tamara all over her body with a black pole that she took from the bed.

Kadezshia, herself, was hit by Thompson Sr. with an extension cord on her wrist – this left a bruise or a welt on her wrist. She was twelve years old, which would have been between 11/30/04 and 11/30/05.

On one occasion Kadezshia knew she was in trouble and she had fallen asleep on the couch. She awoke to Thompson Sr. beating her with a belt on the back. She got up and got whooped with the belt on the hands.

Kadezshia described facing the wall or the fireplace as punishment in the Kepner residence. The child would have to stand up in front of the wall or the fireplace. The only time he or she could sit down or move was to go to bed, go to school, or go to the bathroom. He or she would have to eat while standing in front of the wall.

Kadezshia told Vicki Kearney that getting hit with a belt happened in the living room and standing in front of the fireplace happened there. She said if you were really in trouble you had to go to the basement and that is where you got hit with the extension cord or you got beat for a long time. Basement “whoopins” were for bad grades or being bad at school.

All this happened at the Kepner address.

11. Tamara Lowe discussed discipline in the house being that they would get “whooped” with the belt or have to stand on the fireplace either all day long or up to a week.

She only had to stand on the fireplace once or twice. She was “whooped” with the belt on her hand once. She had a mark on her hand that stayed purple for some time, although no one saw it. She was “whooped” by Thompson Sr. with a belt on her butt. Lowe told Thompson Sr. to do it. One time she did stay home from school because she had a bruise.

Tamara described another incident where she lost a bag of fundraiser candy in October 2005. Thompson Sr. “whooped” her on the butt with the belt in her mom’s room. She had to take off all her clothes but her underwear. She could not sit down after that and no one saw the bruises. She slept in the closet after that because she did not want her mom to see her. However, her mom woke her up and told her to get in bed.

She saw Thompson Sr. “whoop” Andrew in the basement for eating her mom’s cereal. Andrew’s hands had marks on them from the belt.

Tamara described that Kaila got a “whoopin” with the belt on the butt by Thompson Sr.. She had no marks.

Tamara described that Kadezshia got “whooped” with the bat in the basement by Thompson Sr. She also described that one time Kadezshia tripped Tamara down the stairs. Thompson Sr. “whooped” Kadezshia with the belt on her hands for this.

Tamara described that once Eric Jr. got in trouble for pooping his pants. Thompson Sr. hit Eric on his butt with the belt. Tamara saw the marks on his butt.

Tamara saw Thompson Sr. hit Aaron Jr. with the bat. Aaron Jr. was tied to the pole in the basement. They used her mom's scarves to tie Aaron Jr. to the pole and Thompson Sr. did the "whoopin" with the belt. Aaron Jr. had no clothes on.

Tamara got tied to the pole when she was 11, which would have been between 8/25/05 and 11/17/05. She had marks on her butt from this. She did not see them but Kadezshia did, and then she had Andrew come in the bathroom to see the marks.

Tamara also saw Andrew and Kadezshia get tied to the pole.

Tamara said Aaroné got "whooped" with a belt by Thompson Sr. for peeing in the closet. Aaroné was told to get in the bath after the "whoopin" and she was crying.

When asked how often "whoopins" would happen, Tamara said she got "whooped" with a belt "too many times to count." She reported that someone in the house would get "whooped" "every day." Sometimes the kids would get "whooped" so hard on their butts that they could not sit down because of cuts and sores. If their room was dirty they got a "whoopin" on their hands; if they got bad grades, they would get tied to the pole for a "whoopin." Tamara reported that they had to pay for candy if they wanted it, even if the candy was already in the home.

Tamara reported that when Thompson Sr. would "whoop" them, he would say "you should listen to your mom." Lowe would laugh about them getting "whoopins."

After "whoopins," Lowe and Thompson would make them take a hot bath so the swelling would go down, and Thompson Sr. or Lowe would put rubbing alcohol on the sores.

All of this happened at the residence on Kepner Place.

12. Eric Williams Jr. reported that he used to get spanked on his butt with a belt. Sometimes Thompson Sr. or Lowe would use a belt or sometimes a broomstick. Thompson Sr. "whooped" him with a belt on his butt or hands for sucking his thumb. He had marks on his butt one time and his butt was sore. Eric described a "whoopin" when he was 8 years old, which would have been after 5/27/05. He was "whooped" in the basement and only had on his underwear. He was tied to the pole with a "ribbon thing" from his mom's hair. Thompson Sr. "whooped" Eric with a belt on his butt. His butt was swollen. He then had to take a bath to make the swelling go down.

Eric Williams Jr. discussed with Vicki Kearney an incident where he got into trouble for drawing a figure on the wall of the garage, in ink. He was taken down to the basement and beaten with either the belt or an extension cord and a baseball bat. Eric was seven (5/27/04-5/27/05). Detective Hansen's subsequent search of the garage revealed that drawing on the wall

of the garage. Hansen showed a photograph of that drawing to Eric, who confirmed that was, in fact, the picture he drew that got him into trouble.

Eric was beaten with an extension cord because he took some s'mores that belonged to Lowe. He had his clothes on but he got bruises. The cord looked like the cord from the back of a TV, with a metal piece on the end and wire sticking out. Eric reported that Lowe and Thompson Sr. would take three cords and braid them together.

Eric was once tied to the pole for not facing the fireplace. He was hit with the bat by his mom.

Eric reported that once Aaron Jr. got in trouble for peeing in the corner of the basement. He was tied to the pole and Thompson Sr. spanked him with a belt. He once watched Thompson Sr. beat Aaron Jr. in the living room with a baseball bat. Aaron Jr. was only wearing underwear.

Eric also saw Thompson Sr. hit Aaron Jr. with the baseball bat when Aaron Jr. got into trouble for running away. The neighbors had called and said Aaron Jr. was at their house. Thompson Sr. told Aaron Jr. to go to the basement. Thompson Sr. tied Aaron Jr. to the pole with Lowe's scarves. Eric Jr. was playing upstairs and went downstairs. He saw Aaron Jr. get hit with the bat on his butt, legs and back. Aaron Jr. was wearing pants and a shirt. This happened 9/28/05.

Eric only saw Aaroné get "whooped" upstairs, not in the basement. Thompson Sr. would "whoop" her on the butt when she was bad.

Eric discussed that when he and the other kids would be beaten they would sometimes bleed and Lowe and Thompson would make them clean up the blood with bleach. He indicated it wasn't only his blood; it was Aaroné's blood too. After the beatings he would have to take a bath so he would not swell up.

Eric has scars on his hands and wrists and other parts of his body.

On 3/19/07, Detective Hansen met with Eric Williams Jr.. He showed photos of Eric's scars to him. Eric described the origin of the scars as follows:

First, the scars on the inside of his left arm: Eric says these are from being hit with the extension cord by Thompson Sr.. This occurred at the house on Kepner Pl. when Eric was seven years old, which would have been between 5/27/04 and 5/27/05.

Two scars on his right hand: Eric says one is from playing with an iron, and one is from his mom hitting him with a belt.

Four to five scars in the middle of his back: Eric said mostly his mom hit him on the back with the extension cord but sometimes Thompson Sr. did too.

Front of his left knee, two scars: Eric was seven when he got these, these are from the "whoopin" by Thompson Sr. with a belt for drawing on the wall in the garage. (See above).

Two scars on back of right lower leg are from his mom hitting him with a belt.

Three scars on front of right lower leg: Eric was eight (5/27/04-11/15/05). Thompson Sr. hit him with the extension cord in the basement.

Scar on his right foot above his big toe: his mom hit him with a belt buckle for taking a juice bottle without asking.

Eric stated that his toe is swollen from being hit with a belt buckle so hard. Thompson Sr. mostly hit him on his toes with the belt.

Scar on back of upper right leg: Eric reported that happened when he was seven and he got into trouble for making too much noise. Thompson Sr. made him take off his clothes off and he got a "whoopin." Thompson Sr. hit Eric with the extension cord and the needle that stuck out scraped his leg and he was bleeding.

Detective Hansen showed Eric photograph of brown/black belt that was recovered during a search of Kepner Pl. It was a wide leather belt with no attached buckle. He stated that that was the belt that he was hit with. He said the belt used to have a buckle but the buckle broke when they were whooping on the pole in the basement and the buckle hit the pole and broke.

Detective Hansen also showed Eric photograph of the living room of the house on Kepner which depicts a wooden baseball bat leaning against an end table. Eric stated that was the bat that was used to hit Andrew and Aaron Jr. Eric described that Thompson Sr. would hit those two with the baseball bat because they were bad. One time Andrew got hit with the bat by Thompson Sr. because he dropped his mom's vase. This happened after August 2004. He did not actually see this happen but saw Thompson Sr. pick up the baseball bat and go downstairs.

13. Aaron Jr. described the discipline in the Kepner home as a whooping with a belt from either Lowe or Thompson. Sometimes it happened with clothes on, sometimes clothes off. It would happen in the basement, and it would last half an hour. Per Earia Cloman, who Aaron Jr. lives with now, Aaron Jr. will not go down in the basement at their house, where he lives now. He does not like the dark either.

Aaron Jr. described that everybody got "whoopins."

Aaron Jr. reported that the time he ran away, he ran away because he did not like the punishment he was getting, which was to stand by the fireplace and hold stuff for a whole day.

He said that when he got in trouble he was afraid of his dad and Lowe.

recalled a time that he and _____ were both being disciplined and then they were placed in the closet by their dad. He fell asleep in the closet and when he woke up, _____ private parts were bleeding and he had no idea what happened. His dad kept yelling at him so he finally said yes, I must have done something. Then his dad pulled him out of the closet and he was disciplined.

14. Andrew Lowe was interviewed at SunGateKids Children's Advocacy Center on April 24, 2007 regarding Lowe and Thompson Sr.'s abuse of him. He described the following incidents and injuries (injuries which were documented with photographs):

A scar on the inside of his right knee area, by the kneecap: Andrew said Thompson Sr. hit him with the handle part of the baseball bat there, causing that injury. He described that beating occurred because he ate his mother's cereal. (On 5/11/07 Andrew attributed this scar to a beating by his mother – upon further questioning he stated he was unsure who caused this particular scar).

He described/showed a scar on the outside of his left knee as being caused by Thompson Sr. hitting him with the baseball bat.

He described/showed a scar on the back of his left elbow being caused when Thompson Sr. hit him with the baseball bat and he tried to block it with his arm.

Detective Hansen had a follow-up interview with Andrew on May 11, 2007. During this interview, Andrew identified the brown/black belt that was collected from the Kepner home as the belt that was used by Thompson Sr. and Shely Lowe to punish himself and his brothers and sisters. He also identified the bat in the photograph from the lower living room as the bat that was used for punishment by Thompson Sr. and Shely Lowe. He described that his mother would use two hands to swing the bat and Thompson Sr. would only use one hand.

Andrew described that the scars on his lower right side of his back are from being hit with the extension cord, which was done by both Shely Lowe and Thompson Sr. He could not be certain which party caused which scar.

Andrew described that the scar on his left wrist was from Thompson Sr. hitting him with either the extension cord or the belt in the basement of the Kepner home. This happened when he was 12 or 13 years old, which would be between 3/10/03 and 3/10/05.

Andrew described the scar on his right forearm was from Thompson Sr. hitting him with the belt upstairs in the Kepner residence. He thought he got into trouble for acting up in school. This occurred when he was 14 years old, which would have been 3/10/05 – 11/17/05.

Andrew described the scar on his left shin/ankle was from Thompson Sr. hitting him with the extension cord for turning around while he was standing on the fireplace at the Kepner

residence. He was being punished for only doing half his kitchen chore. He was 14 years old, which would be between 3/10/05 and 11/17/05.

15. Kaila Williams was interviewed at SungateKids on April 24, 2007. She reported that Thompson Sr. used to hit her on the hands with the belt. She described an incident where her mom took off her clothes and Thompson Sr. hit her on the butt with the belt. After the "whoopin" her mom made her take a bath.

Kaila discussed that [redacted] got in trouble for peeing in the closet by the front door. She said Lowe got mad and Thompson Sr. "whooped" [redacted] with the belt. Kaila said that [redacted] was also in the closet with [redacted].

16. Colorado Bureau of Investigations testing of the brown/black leather belt collected from the Kepner address showed DNA profiles belonging to Aaron Thompson Sr., Shely Lowe, Eric Williams, Kaila Williams, and Kadezshia Smith.

17. The neighbor that found Aaron Jr. hiding at their house the day he ran away described that he had terror in his eyes when Thompson Sr. picked him up.

18. Lowe does have a history with Human Services and the following are known contacts: 1997, Michigan, left kids alone in a hotel room. 1998, report of her having injured Eric Williams Jr. – he had a lump on the back of his head and a cut on his forehead. March 1998, report of her hitting Andrew and Kadezshia with a belt. January 2000, report that Lowe hit Andrew in the head with a cell phone. April 2000, Lowe left the children unattended. September 2000 Kadezshia had a black eye. March 2001, Aaroné had a bruise on her face.

19. According to testimony from DHS worker Kim Blanchard, all the children were neglected: Lowe and Thompson lied to DHS about having taken the children to Stout Street Clinic for immunizations – SSC had never heard of any of the children.

Lowe and Thompson had reported that the children had had dental and medical care – then when pressed for detail, said they did not need to go to the dentist, that their mouths were fine. When the children were removed from the home, this was found to be untrue.

Rajon had several cavities. His teeth had to be cleaned and filled four at a time because that was all he could tolerate. In Andrew's mouth twenty-three out of twenty-four of his teeth had issues. Tamara and Kadezshia each needed a couple of fillings. Eric Jr. needed fillings, cleanings, and was at risk of losing some of his teeth. Aaron Jr. needed three or four fillings.

Medically, Kaila had problems with her hip, tonsils and adenoids, needed hearing tests that were never followed up on, she had breathing issues, and she needed a sleep study. After removal from Lowe and Thompson she had her hip replaced, tonsils and adenoids out. As a result she sleeps better, has no mucous, and is more easily understood when she speaks.

has behavioral issues: Lowe and Thompson said he was just fine before placement. Neither told DHS about the alleged sexual assault of

Eric Jr. has encopresis. Lowe and Thompson knew about it, and said it was under control. However, prior to being confronted with it, when asked about any health issues with the children, they did not mention it. The cause of this in Eric has been ruled out medically; it can be due to trauma, stress, and/or lack of control issues.

Rajon also has encopresis. Again, Lowe and Thompson did not disclose when asked generally about medical issues, but when confronted said it was under control. Rajon's cause was ruled out medically as well. Additionally, Rajon needed glasses – Lowe and Thompson never did anything to get him glasses.

When the children were placed in foster care, DHS learned that Rajon had not even started school in 2005 until 11/1/05. The rest of the kids started 9/8/05, when school started 8/15/05. No home schooling was being done to compensate.

Detective Hansen did find documentation of doctors visits for some of the children during the time they lived at the Kepner home.

AS TO COUNT ONE:

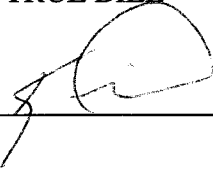
A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWO:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT THREE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FOUR:

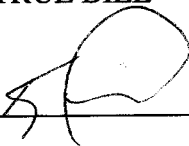
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIVE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT SIX:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT SEVEN:

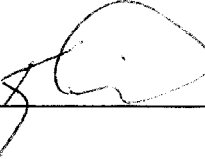
A TRUE BILL



A NO TRUE BILL

AS TO COUNT EIGHT:

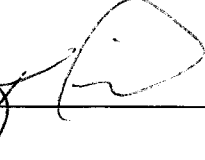
A TRUE BILL



A NO TRUE BILL

AS TO COUNT NINE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TEN:


A TRUE BILL



A NO TRUE BILL

AS TO COUNT ELEVEN:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWELVE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTEEN:

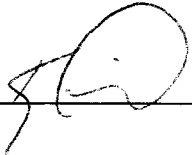
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FOURTEEN:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTEEN:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT SIXTEEN:

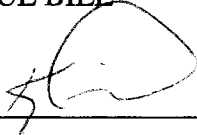
A TRUE BILL



A NO TRUE BILL

AS TO COUNT SEVENTEEN:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT EIGHTEEN:

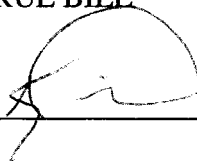
A TRUE BILL



A NO TRUE BILL

AS TO COUNT NINETEEN:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-ONE:

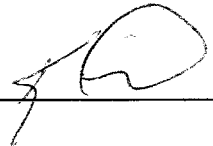
A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-TWO:

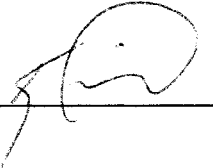
A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-THREE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-FOUR:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-FIVE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-SIX:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-SEVEN:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-EIGHT:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT TWENTY-NINE:

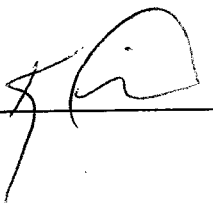
A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY:

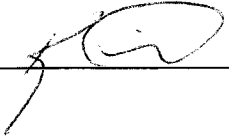
A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-ONE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-TWO:

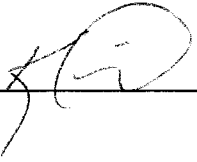
A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-THREE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-FOUR:

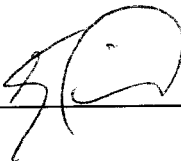
A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-FIVE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-SIX:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-SEVEN:

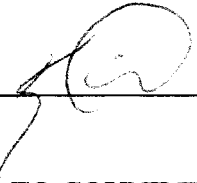
A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-EIGHT:

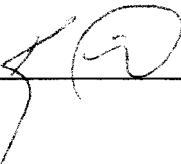
A TRUE BILL



A NO TRUE BILL

AS TO COUNT THIRTY-NINE:

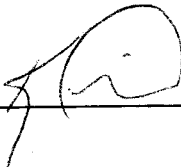
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-ONE:

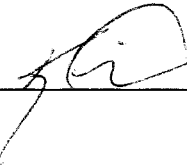
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-TWO:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-THREE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-FOUR:

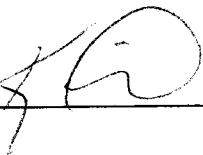
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-FIVE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-SIX:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-SEVEN:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-EIGHT:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FORTY-NINE:


A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY:

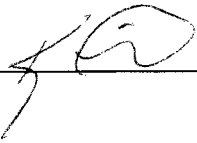
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-ONE:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-TWO:

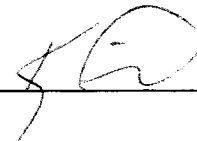
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-THREE:

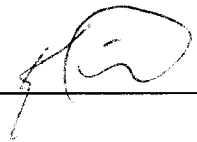
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-FOUR:

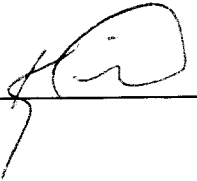
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-FIVE:

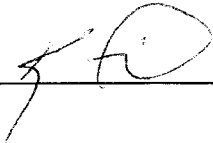
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-SIX:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-SEVEN:

A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-EIGHT:

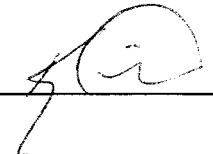
A TRUE BILL



A NO TRUE BILL

AS TO COUNT FIFTY-NINE

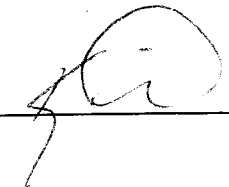
A TRUE BILL



A NO TRUE BILL

AS TO COUNT SIXTY

A TRUE BILL



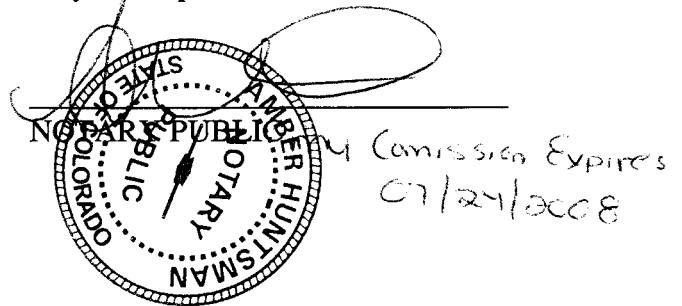
A NO TRUE BILL

I, Kelly L. Hill, the Foreperson of the 2006 Eighteenth Judicial District Grand Jury, do hereby swear and affirm that each and every True Bill returned in this Indictment by the 2006 Eighteenth Judicial District Grand Jury was arrived at after deliberation and with the assent and agreement to the existence of probable cause by at least nine members of the 2006 Eighteenth Judicial District Grand Jury.

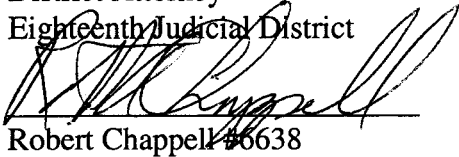


FOREPERSON

Subscribed and sworn to before me in the County of Arapahoe, State of Colorado, the 10 day of May, 2007.



CAROL CHAMBERS
District Attorney
Eighteenth Judicial District



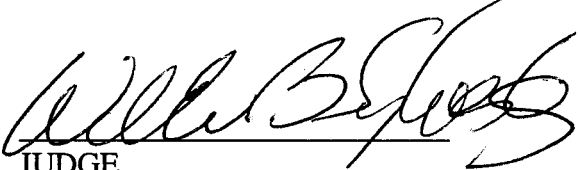
Robert Chappell #6638

Chief Deputy District Attorney
Eighteenth Judicial District
7305 S. Potomac St., Ste. 300
Centennial, Colorado 80112
Telephone: (720) 874-8500
FAX: (720) 874-8501

The 2006 Eighteenth Judicial District Grand Jury presents the within Indictment, and the same is hereby ORDERED FILED this 16 day of MAY, 2007.

WARRANT TO ISSUE

BOND SET AT 8500,000 ~~500~~ CASH/SURETY ONLY
AARON THOMPSON


JUDGE