

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

NAME OF SUSPECT: Cumsille, Chris John

AGENCY CASE #:17-46987

DATE OF BIRTH: 03/02/1972

DATE FILED: January 16, 2018 11:18 AM

ARRESTING AGENCY: LAKEWOOD POLICE DEPARTMENT

FILING ID: EE7040C198408

COURT: Jefferson County

CASE NUMBER: 2018CR194

CHARGES/STATUE #/CLASS:

- | | |
|---|-------------------|
| 1. Child Abuse | 18-6-401(7)(a)(1) |
| 2. Vehicular Homicide –reckless | 18-3-106(1)(a) |
| 3. Vehicular Homicide – Dui | 18-3-106(1)(b) |
| 4. Vehicular Homicide –reckless | 18-3-106(1)(a) |
| 5. Vehicular Homicide – Dui | 18-3-106(1)(b) |
| 6. Vehicular Assault –reckless | 18-3-205(1)(a) |
| 7. Vehicular Assault –Dui | 18-3-205(1)(b)(I) |
| 8. Failure to remain at scene of accident involving property damage | 42-4-1602 |
| 9. Reckless driving | 42-4-1401(1) |
| 10. Drove vehicle under the influence of drugs | 42-4-1301(1)(a) |

DISTRICT COURT, JEFFERSON COUNTY, COLORADO

Detective Moffat, BEING DULY SWORN UPON OATH SAYS:

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

Victims: (1) Huffman, Anna (05/31/74) (2) Huffman, Jason (12/30/13) (3) Nelsen, Lianne (10/25/92

Your Affiant is a police detective for the Lakewood Police Department assigned to the Patrol Division Traffic Team. Detective Moffat case responsibilities include the follow-up investigation of reported violations of the Colorado Revised Statutes. Your Affiant has personal knowledge of the facts contained within this affidavit through personal involvement, interviews with witnesses and other police officers, and through reviewing official police reports. The below crimes occurred in the City of Lakewood, County of Jefferson and State of Colorado.

On November 13th 2017 at approximately 7:17 AM Agents were dispatched to West Alameda Avenue and Oak Street on report of an injury accident. Upon arrival they learned this was a six car accident with multiple injuries. Five of the vehicles were stopped at a steady red light and a black truck rear-ended one of the vehicles causing a chain reaction. The driver of a Dodge Caravan Anna Huffman was pronounced deceased at the scene. Her three year old child was transported to St Anthony's and later died from his injuries. The driver of 3rd vehicle Lianna Nelson suffered a serious bodily injury, a broken toe from the collision.

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The driver of the truck was identified as Chris Cumsille who stated he "blacked out" prior to the crash and had no recollection of the collision. He voluntarily submitted a sample of his blood sample over two hours after the collision and the results were 4.3 ng/ml if (THC) marijuana in his blood. He also consented to the event data recorder on his truck to be downloaded and it was determined that there was no prior braking or avoidance maneuver. The data information had vehicle data 5 seconds prior to the collision. The vehicle was travelling 55 miles per hour with 24.7 percent throttle and 56 miles per hour at time of impact and 9.9 percent throttle. Chris mentioned to Agent Rholing that he was not distracted by his phone prior to the collision. He voluntarily submitted to his phone to be examined and downloaded. The phone was downloaded and there was no initial indication that he was texting before the accident however the use of data was inconclusive. The at-fault truck was inspected and in normal working order with no defects found.

The traffic light signal on Alameda and Oak Street was green for 60 seconds, yellow from 7:16:19-7:16:24 (duration 4.9 seconds) and red from 7:16:25-7:17:04 (duration 40 seconds). The collision occurred during the red light and this is seen from video located at 10712 W. Alameda Ave. (Ascend Cannabis) Chris signed a medical release form and medical records were obtained from his emergency room treatment after the accident. The reports were reviewed and there were no indications of any medical conditions prior to the accident from tests given or medical physicians that examined him.

The DMV driver history for Chris Cumsille listed 16 traffic violations since he has had a driver's license in Colorado. I used the National Data Insurance base and found the following accident involving Chris Cumsille at-fault: 1) Denver 07/19/2012 08:23, 6th Ave. e/b Federal Blvd. 3 car accident rear-end at-fault Chris Cumsille. Issued summons for following too closely. 2) Lakewood 10/11/2013 7:32, 2 car broadside accident 1st/Holland St. at fault Chris Cumsille. Issued summons for failing to yield after stopping at stop sign. 3) Lakewood 08/9/2017 2nd/ Union, not reported 2 car rear-end accident at fault Chris Cumsille. Both vehicles totaled claim 0581482887010101034 vehicles towed by APT towing. Edivalto Torres was the victim in the accident on 8/09/17 and mentioned after the collision he assumed Mr. Cumsille was calling the police. The police were never called and Mr. Cumsille went inside his work at 255 Union Blvd. One of Mr. Cumsille's co-workers assisted him with insurance information and tow trucks. Edivalto mentioned that Mr. Cumsille told him he wasn't paying attention at the time of the collision.

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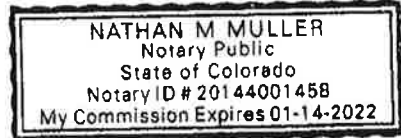
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Based on the preceding information your Affiant requests that a warrant be issued for Chris John Cumsille born March 2nd 1972.

[Handwritten Signature] 1661
Affiant's signature

[Handwritten Signature]
Subscribed and sworn to before me.



Dated: 01/12/2018

Nathan M. Muller
Notary Public

Expiration date: 01-14-2022