

11/09/2017
16:36

State of Colorado, County of Mesa
Affidavit In Support of Warrantless Arrest

2017-00070479

Page: 1 of 4

I, **CURTIS, EVAN, W.**, of the **Grand Junction Police Dept** a Colorado peace officer, being duly sworn and under oath states that probable cause exists for warrantless arrest of the person named below, and that the following facts are true and correct to the best of my knowledge, information, and belief, and support the arrest of the defendant. All locations are in Mesa County, State of Colorado unless otherwise noted.

Name of person arrested: **RODRIGUEZ, OSCAR AARON** DOB: **05/12/1993**
Race: **WHITE** Sex: **MALE** Weight: **160** Height: **5' 8**
Hair: **BRO - BROWN** Eyes: **BRO - BROWN**

Date of arrest: **11/09/2017** Time: **12:58**
Place of arrest: **555 UTE AVE, GRAND JUNCTION, CO, 81501**

Victim: **DUMAS, MORGAN LEE** DOB: **12/21/1995**
Race: **WHITE** Sex: **FEMALE** Weight: **130** Height: **5' 5**
Hair: **BLN - BLONDE** Eyes: **BLU - BLUE** Phone:

Victim:
Race: Sex: Weight: DOB:
Hair: Eyes: Phone: Height:

Date/Time	Statute Code	CC	Counts
11/09/2017 12:58	18-3-203(1)(d) F3	13A	1
ASSAULT - 2ND DEG RECKLESS W/SERIOUS BODILY INJURY - DEADLY WEAPON			
11/09/2017 12:58	18-6-800.3	90Z	1
DOMESTIC VIOLENCE			

11/09/2017
16:36

State of Colorado, County of Mesa
Affidavit In Support of Warrantless Arrest

Page: 2 of 4

17-00070479

November 9, 2017 0822 hours

Det. E. Curtis 08-3

On 11/09/17, at approximately 0822 hours, Officer Naik with the Grand Junction Police Department (GJPD) responded for an unconscious female at 2858 Hall Ave, Grand Junction, Mesa County, CO. Officer Naik, along with personnel from the Grand Junction Fire Department (GJFD), arrived on scene and located an unresponsive female, later identified as **Morgan Dumas (12/21/95)**, in the northern most bedroom of the residence. Dumas was shown to be lying on the floor next to a bed in the northern most room. Dumas was without any clothing, lying on her back and not breathing. Ambulance personnel transported Dumas to Saint Mary's [REDACTED]

Prior to transport, Grand Junction Fire personnel asked Dumas's boyfriend, later identified as **Oscar Rodriguez (05/12/93)**, about Dumas's past medical history. According to Rodriguez, Dumas took several medications, to include Flexeril. Other than Dumas and Rodriguez, there were no other occupants in the residence.

After Dumas was transported from the scene, Officer Naik began to question Rodriguez about the events leading up her loss of consciousness. Rodriguez stated Dumas was his girlfriend of four (4) years and they both lived at the 2858 Hall address. When asked about what had led up to Dumas's injuries, Rodriguez stated he and Dumas had started drinking alcohol at approximately 1730 hours on Wednesday, 11/08/17. Rodriguez tried to go to sleep at approximately 2000 hours, but Dumas was angry with him for going to bed so early. The two engaged in a verbal argument at that time. Rodriguez attempted to keep Dumas out of their bedroom, forcing the door closed on her. Dumas pushed the door open, breaking it off its hinges and forcing Rodriguez backwards into the room. Dumas came into the bedroom and slapped Rodriguez across the face multiple times. Rodriguez responded by pushing Dumas, causing her to fall down onto the floor, where she struck her head.

Upon striking her head on the floor, Dumas went unconscious. Rodriguez stated he checked Dumas's "radial pulse" and confirmed that she was still breathing. Rodriguez carried Dumas to the living room and placed her on the couch. Rodriguez then returned to the bedroom and fell asleep (unknown exact time). Dumas woke up later in the evening (unknown time) and returned to the bedroom, where a second physical confrontation occurred. At that point, Dumas jumped on top of Rodriguez who was lying in bed. Rodriguez again pushed Dumas, causing her to again fall onto the floor, where she struck her head and fell unconscious a second time. Rodriguez again checked for a pulse and confirmed she was breathing.

Rodriguez picked Dumas off the floor and placed her on their bed, rolling her onto her left side. Rodriguez stated Dumas was breathing, but not normally. Rodriguez described Dumas's breathing at that point as being shallow and rapid. Rodriguez fell asleep, waking up around 0600 hours. Dumas was still having shallow and rapid breaths at that point. Rodriguez fell asleep again, waking up a few hours later (possibly around 0800 hours).

Upon waking, Rodriguez checked on Dumas again. Rodriguez stated Dumas did not respond to physical touch or him yelling her name. Rodriguez turned Dumas' face towards him and he observed her eyes were open and she was not conscious or breathing. Rodriguez pulled Dumas to the floor and started chest compressions and rescue breathing; Rodriguez also called 911.

Rodriguez was initially cooperative and allowed officers into their home. A review of their room on the northern end of the residence showed there to be a single queen sized bed in the middle of the room. On the right side (north side) of the bed, there was a large urine stain and several drops of blood on the sheets and pillow where Dumas had been lying. Officers also located several empty bottles of Vodka in the living room area. Officers were unable to locate any prescription medications for Flexeril.

Rodriguez agreed to voluntary respond to the GJPD for a recorded interview. Rodriguez was transported to the GJPD and placed in Interview area #12. While waiting for Detectives to respond, Rodriguez made the spontaneous utterance "it's my fault", which was a reference to him pushing Dumas.


A check of Rodriguez's and Dumas's criminal history showed the two had been involved in a domestic violent incident on 09/02/17 at 2858 Hall Ave. During this incident, the two engaged in a physical altercation where Dumas eventually cut Rodriguez on the face. Rodriguez responded to being cut by striking Dumas in the face at least twice, breaking her nose (GJPD case # 17-00055930).

At the station, Rodriguez was interviewed by Detectives Heil and Rojo. Detectives ensured Rodriguez understood he was at the police department voluntarily and asked him if he ever felt like he had been detained or arrested. Rodriguez said he

had not and confirmed he was speaking to detectives voluntarily.

During the interview Rodriguez described his relationship with Dumas as being strained after she was arrested for domestic violence on 9/2/2017. As he told Officer Naik, Rodriguez described shoving Dumas down twice and her being unresponsive afterwards. Rodriguez believed the second time he shoved Dumas off the bed was when she was seriously injured. He believed she likely fell head first because her feet were caught under his body when he pushed her. Rodriguez described himself as being mean when he was drunk and becoming increasingly agitated and angry with Dumas because he just wanted to go to sleep.

During the interview Rodriguez expressed remorse and blamed himself for what happened to Dumas.



Based on the investigation, there is probable cause to charge Oscar Rodriguez with 2nd degree assault (18-3-203)(1)(d) and domestic violence (18-6-800.3).

11/09/2017
18:36

State of Colorado, County of Mesa
Affidavit In Support of Warrantless Arrest

Page: of

State of Colorado
County of Mesa

Officer

Sworn to before me this _____ day of _____, 201__

Notary

Probable Cause Determination

() Approved () Rejected

Judge