



# DenverDA

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## ***NEWS RELEASE***

September 15, 2010

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### **TEENAGER CHARGED IN DEATH OF CHILD**

Denver District Attorney Mitch Morrissey has formally charged a 17-year-old male in connection with the death of his 11-month-old cousin that occurred last week while she was in his care.

The 17-year-old is being charged as a juvenile with *child abuse resulting in death* (F3).

The teenager was babysitting for the toddler and her 22-month-old sibling on the morning of September 7, 2010. The charge alleges that the teenager went back to sleep, leaving the children unattended in their home. He discovered the victim unconscious in a bathtub full of water when he woke up sometime later.

The juvenile remains in custody at the Gilliam Youth Center.

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The juvenile is charged under the following statute:

C.R.S. 18-6-401(1)(a),(7)(a)(II) – Child abuse. A person commits child abuse if such person causes an injury to a child’s life or health, or permits a child to be unreasonably placed in a situation that poses a threat of injury to the child’s life or health, or engages in a continued pattern of conduct that results in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries that ultimately results in the death of a child or serious bodily to a child.

Where death or injury results, the following shall apply: When a person acts with criminal negligence and the child abuse results in death to the child, it is a class 3 felony.

18-1-501 Definitions. (3) “Criminal negligence”. A person acts with criminal negligence when, through a gross deviation from the standard of care that a reasonable person would exercise, he fails to perceive a substantial and unjustifiable risk that a result will occur or that a circumstance exists.

The filing of a criminal charge is merely a formal accusation that an individual(s) committed a crime(s) under Colorado laws. A defendant is presumed innocent until and unless proven guilty. See Colo. RPC 3.6

