

DISTRICT COURT, ARAPAHOE COUNTY, COLORADO

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WARRANT DATE FILED: May 16, 2022 11:06 AM

I, Sergeant Johnnie Turnidge, of lawful age and being first sworn upon oath, state that I have probable cause for believing that:

NICETA, ROBIN
DOB: [REDACTED]1982

did commit the crime(s) of:

18-8-615(1.5) (a) Retaliation against an elected official. 6F
19-3-304 (3.5) Persons required to report child abuse or neglect 2M

on/or between 01/28/2022, within Arapahoe County, Colorado, and as grounds therefore state as follows:

That this Affiant is an Investigator with the Arapahoe County Sheriff's Office, and that the following information was obtained by me personally and from the official records of the aforementioned office.

This Affiant is aware of the following information as it is contained in Arapahoe County Sheriff's Office Offense Report #AC22-7048, which was written by Arapahoe County Sheriff's Sgt. Johnnie Turnidge, and was subsequently read by this Affiant. Information taken from this report has been paraphrased by this Affiant.

On 04/19/22, this Affiant received information reference a case from the Arapahoe County Department of Human Services #3261032. The complaint was against:

JURINSKY, DANIELLE
DOB: [REDACTED]/84

reference possible unlawful sexual contact with [REDACTED] The child's name is:

[REDACTED]

The Human Services report indicated that on 01/28/2022, at approximately 1707 hrs, an anonymous reporting party (RP) called and stated the following:

RP advised that she was an employee at one of JURINSKY's restaurants. [REDACTED]

RP observed JURINSKY [REDACTED]

JURINSKY asked “do you want to see something funny?” and she started “jacking off his penis to make it hard.”

This made the child start crying and upset

That this happened a few months ago, right before Thanksgiving.

A few weeks ago, RP saw child with mother of child with another staff member at [REDACTED]

JURINSKY took the diaper down and showed off how big his penis was to the other female staff members.

This Affiant learned that the Department of Human Services conducted a Referral/Assessment on this case, which included a home visit with the mother of the child and her parents, a visit with the primary daycare that the child was attending, along with home checks of everyone involved. Once the assessment was completed, the case was closed on 02/14/2022, with no wrong doing on JURINSKY’s part.

This Affiant received an email correspondence between DDA CHRIS GALLO with the Arapahoe County DA’s Office and Deputy County Attorney MICHAEL VALENTINE. MICHAEL attached the tip # for this case, which is tip #2187675. They were able to trace the phone call that this tip came in on, which is the number of [REDACTED] This number is on record within Arapahoe County as a personal phone number for:

NICETA, ROBIN

[REDACTED]
Aurora, Colorado 80010

The email correspondence between MICHAEL VALENTINE to CHRIS GALLO, stated the following “*The allegation is that Danielle Jurinsky is on the Aurora City Counsel and has been outspoken and critical of the then Aurora Police Chief, Vanessa Wilson; the Arapahoe County DHS caseworker, Robin Niceta is the intimate partner of Vanessa Wilson, and allegedly had this false report made about Danielle Jurinsky as retaliation. The caller does not sound like the caseworker herself, but a search of the caller ID matches the personal cell phone number on file with the county for Robin Niceta.*”

On 04/20/22, this Affiant met with DANIELLE JURINSKY at the Arapahoe County Sheriff’s Office to discuss this incident. DANIELLE stated the following:

On 01/27/22, she was a Guest Host on a local podcast show called STEFFEN TUBBS, which is a local conservative talk show host.

They were in the middle of discussing issues in the City of Aurora and the high crime rate, and the issues with the Aurora Police Department.

DANIELLE made a comment that Chief VANESSA WILSON “is trash.”

The next day, based off DANIELLE's comment, several local news media outlets covered the story.

DANIELLE stated that the podcast was on 01/27/22 from 1600-1700 hours.

She then received a phone call from DHS (Department of Human Services) reference an allegation against her on 01/28/22 at approximately 1707 hours.

DANIELLE had a feeling that the allegations made against her to the Arapahoe County Department of Human Services were in retaliation to her comments made about Chief VANESSA WILSON.

DANIELLE stated that she does own four different restaurants throughout the Denver Metro area; JJ's Place at Iliff and Chambers, Steep Tips at Hampden and Chambers, Broadway Shot Spot at Hampden and Broadway, and Longshots at Hampden and Federal.

She advised that, during her campaign, she would hold events at JJ's Place, which is a restaurant.

She advised she stopped holding campaign events around August of 2021, so that she could focus on a more face to face approach to campaigning.

She advised that [REDACTED] would only be at the restaurant with her parents, because she was busy working on the campaign.

DANIELLE stated that she was elected to the Aurora City Council on 11/02/21 and took oath on 12/06/21.

After 12/06/21, she had a good relationship with Police Chief VANESSA WILSON and set up a dinner on 12/28/21.

DANIELLE stated that Chief WILSON was very concerned about trying to gain the trust of her department.

She stated that she became emotional worrying about losing the confidence of her fellow Officers.

DANIELLE stated that she would help her try to figure out how to regain the confidence back and attended several briefings at the Aurora Police Department and spoke with several Officers.

They met again to discuss possible changes to the Aurora Police Department, where DANIELLE mentioned that it would benefit her to replace the Deputy Chief with another member of the agency.

On 01/08/22, she held a fundraiser at JJ's Place for two Officers who lost their residence in the Marshall Fire.

She stated that Chief WILSON arrived at this fundraiser with the same Deputy Chief that she had recommended to dismiss.

DANIELLE stated that she had no further contact with Chief WILSON after the fundraiser.

After speaking with several Officers and seeing a huge increase in resignations from the Aurora Police Department, DANIELLE stated that's when she felt that she needed to voice her opinion reference the current status of the Aurora Police Department.

DANIELLE stated this is when she made the comment that "Chief WILSON is trash."

DANIELLE advised that she is "mortified, upset, and hurt" that someone would make these kind of false allegations against her.

This Affiant received the audio recording of the original complaint made to Department of Human Services against DANIELLE. After listening to the complaint, this Affiant spoke with DANIELLE to go over the claims against her.

1. The RP stated that she was an employee at [REDACTED] restaurant in Aurora and that she had been to JURINKSY's home, located at [REDACTED] Centennial, CO
 - a. *DANIELLE advised that this was false because she moved out of that residence in October of 2020. [REDACTED] did not even open until December of 2020.*
 - b. *DANIELLE has never had any of her employees at any of her own private residences.*
2. The RP stated that she knew this address because of holiday party at her residence.
 - a. *DANIELLE stated that she had never had a holiday party for any of her employees.*
3. The RP stated that she knows that DANIELLE has guns because they observed the gun safe at one of these holiday parties.
 - a. *DANIELLE purchased her first ever gun safe February 24th 2022, well after the complaint was made and when this "incident" supposedly occurred.*

4. RP claimed that the two incidents occurred at [REDACTED] restaurant, one of which was right before Thanksgiving.

- a. DANIELLE stated that [REDACTED] was only there on three occasions during her campaign, from June-August of 2021. [REDACTED] was always in the care of her parents as she was talking with citizens.

This Affiant advised DANIELLE that the complaint was made by a phone number belonging to ROBIN NICETA, who is a current member of the Department of Human Services and the intimate partner of Chief VANESSA WILSON. DANIELLE stated that ROBIN was never an employee of hers and she feels that this in retaliation against her for the comments that she made reference her ROBIN'S intimate partner, VANESSA WILSON.

DANIELLE stated that all the information reference the restaurants and the properties that she owns can be found by completing a simple records search on the internet, but it is not current. DANIELLE advised that people have used these false claims against her in the past when she was running her campaign. DANIELLE believes that this is where ROBIN received the information to devise a false claim against her.

This Affiant was advised of an email that was sent on 04/26/2022, from the Department of Human Services manager MICHELLE DOSSEY to MICHAEL VALENTINE. MICHELLE is ROBIN's supervisor and was the subject who had mentioned before that the caller in the original tip "did not sound like ROBIN." The email stated the following: *"I initially wasn't sure the hotline recording was Robin's voice when I listened to it the first time, but after listening to it four more times and doing a side by side comparison of her actual voice from the Sungate video - I believe it is Robin on the hotline recording. There are similarities in the inflections of her voice and in her speech patterns. I am thinking she just made her voice sound higher during the call."*

This Affiant spoke with MICHELLE DOSSEY who was asked on how certain she was that the voice that she heard on the tip was in fact ROBIN's voice. MICHELLE stated that on a scale of 1-10, her confidence level is a 9 that the voice is in fact ROBIN's.

On 04/27/22 this Affiant met with the Store Manager of JJ's Place, the Manager was identified as:

ERDMAN, ELISHA
DOB: 07/28/78

who stated the following:

She has been the Manager for JJ's Place since it opened in December of 2020.

She advised that DANIELLE has only been inside of the restaurant possibly between five to seven times with [REDACTED]

ELISHA stated that when DANIELLE would bring [REDACTED] into the restaurant BRADLEY was always being watched over by his grandparents because DANIELLE was busy working on campaign stuff.

ELISHA advised that DANIELLE was a very good mother and always made sure that he was clean and dress appropriately.

ELISHA stated that she had never seen DANIELLE take [REDACTED] to the bathroom.

ELISHA advised that if DANIELLE was going to change [REDACTED] she would more than likely do it in the office or in her car and not in the bathroom where patrons can go into.

This Affiant then advised ELISHA of the allegations made against DANIELLE. ELISHA became visibly upset and very angry. ELISHA stated "you can rob this place, burn this place down, break the windows out but you never go after another person's kid, DANIELLE's a very good mother and would never do such a thing". ELISHA advised that she never heard any rumors reference DANIELLE talking about the size of [REDACTED] genital or of any incidences that were inappropriate in nature with [REDACTED]

On 04/28/22 this Affiant submitted a production of records to T-Mobile, reference the phone number belonging to ROBIN of [REDACTED]

On 05/02/22 this Affiant received the records back from T-Mobile. The records confirm that subscriber name for account as:

NICETA, ROBIN

[REDACTED]
Aurora, CO

This account has been active since 08/27/2018.

This Affiant observed on 01/28/22 at approximately 07:13:47 am that ROBIN attempted to utilize the *67 function on her phone to call her work phone. Immediately after, at 07:13:59, she called the same number again but never answered.

This Affiant has knowledge that utilizing the *67 function is a method to block the phone number that is make a phone call.

This Affiant observed that several calls and text message were made throughout the day on the 28th, including four phone calls to the phone number of [REDACTED] This Affiant checked on several Law Enforcement databases and observed that phone number belonged to VANESSA WILSON.

On 05/03/2022, this Affiant interviewed ROBIN at the Department of Human Services, located at:

14980 E. Alameda Dr.

Aurora, CO 80012

ROBIN was advised that anonymous phone tip was sent to DHS reference allegations against DANIELLE JURINSKY back in January. This Affiant told ROBIN that the tip came from her cell phone number. ROBIN replied "Okay, I don't know anything about that."

ROBIN stated that she was in possession of her phone during the entire day of the incident but that she did not make the call. ROBIN stated that several people have access to her phone, but that she did not make the call. This Affiant asked ROBIN who else had access to her phone and she mentioned her two children and VANESSA WILSON.

ROBIN confirmed that her children would not have made the call. This Affiant then advised ROBIN that since her children did not do this, it only leaves herself or VANESSA WILSON for who could have made the call. ROBIN stated "I understand but it wasn't me."

This Affiant confirmed that [REDACTED] was ROBIN's personal cell phone number. ROBIN confirmed that she had her cell phone currently with her. This Affiant advised ROBIN that since her cell phone was used in the commission of a crime, it would be seized as evidence, pending a search warrant.

On 05/6/2022, this Affiant received an approved search warrant for ROBIN's phone.

On 05/09/2022, this Affiant received ROBIN's Arapahoe County issued laptop and cell phone.

On 05/10/2022, a forensic extraction of ROBIN's personal phone, Arapahoe County issued laptop, and Arapahoe County issued cell phone were completed. This Affiant compared the information received from the forensic extraction and ROBIN's statements during her interview. This Affiant located the following inconsistencies:

Interview: ROBIN stated that she did not know anything reference a complaint against JURINSKY.

Evidence: 1/28/2022 7:34:07 PM Personal iPhone- Message to "Bonnie Saltzman" "Also and between me and you- I got a new assessment today for a council woman that was "jacking off [REDACTED] to show her staff that his penis gets hard"... so yes- today is weird". This text was sent approximately 2 hours and 27 minutes after the tip was made to DHS.

MICHAEL VALENTINE verbally advised this Affiant that after speaking with MICHELLE DOSSEY, there was a “0% chances that ROBIN would have known of this referral within 2 ½ hours DHS receiving it.”

This Affiant received an email from MICHELLE DOSSEY which listed the following guidelines on how DHS handles referrals then they are received:

“When referrals come into the Department, it is reviewed by a supervisor, or if after hours, first by our on call caseworker. There is one on call caseworker, supervisor and administrator at all times after hours, which is outside the hours of 8-430pm Monday thru Friday. The on call caseworker or supervisor reviews the allegations and determines the need for response. If no response is required, the referral is held in the system for the next business day which I explain a little more below.”

*“Robin Niceta was a mastery caseworker with my Division. As a part of her mastery role, she was the liaison for SungateKids and handled primarily, only sexual abuse and human trafficking cases. Her role required her to respond after hours **ONLY** for emergency forensic interviews at SungateKids. The Department rarely receives these type of requests, but SungateKids Executive Director, Diana Goldberg, notifies the Department (usually myself or my Intake Section Manager) when a child or children are being brought in by law enforcement for an emergency forensic interview. Robin would then be assigned to respond to cover that forensic interview. Under no circumstances, would Robin be contacted to review a referral or respond to any sexual abuse assessment after hours when there is no emergency SungateKids forensic interview. Important to note is that in order for us to respond immediately to Sungate, a referral must be called in and it is required by rule to meet the threshold of an immediate response. We do not hold the authority to respond without that. Emergency forensic interviews are typically a child who is actively being sexually abused, the suspect’s arrest is imminent after hours, and often because a child is brought into SungateKids after having a SANE exam because there is believed to be evidence of sexual abuse on the child’s body. In order for an immediate response to be initiated, a supervisor must review and approve the response. A caseworker cannot initiate a response without such approval.”*

Interview: ROBIN stated that she had no idea of where JURINSKY lived.

Evidence: 1/28/2022 5:00:55 PM, County Laptop- Bing search “Danielle Jurinsky Address”

This search was from ROBIN’s County issued laptop completed approximately 7 minutes before the call was made to DHS.

Interview: When asked how someone would know the number for the national tip line, ROBIN stated that she believed someone could have received the number from one of her business cards at home.

Evidence: 1/28/2022 5:02:27 PM County Laptop- Bing search "child abuse and neglect reporting hotline"
<https://www.bing.com/search?q=child+abuse+and+neglect+reporting+hotline>

This search was from ROBIN's County issued laptop completed approximately 5 minutes before the call was made to DHS

1/28/2022 5:03:45 PM County Laptop- Bing Search on County Laptop "does the child abuse hotline keep phone numbers in colorado"

This search was from ROBIN's County issued laptop completed approximately 4 minutes before the call was made to DHS

Therefore, this Affiant respectfully requests that an arrest warrant be issued for:

NICETA, ROBIN
DOB: 03/30/1982

for the charge (s) of:

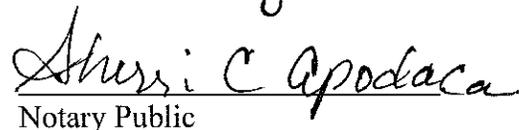
18-8-615(1.5) (a) Retaliation against an elected official. 6F
19-3-304 (3.5) Persons required to report child abuse or neglect 2M

This Affiant has read the foregoing statement and the matters stated therein are true to the best of my knowledge and belief.



Johnnie Turnidge, Affiant

SUBSCRIBED AND SWORN TO before me on this 16th day of May, AD 2022.


Notary Public