

DISTRICT COURT ARAPAHOE COUNTY, COLORADO Court Address: Arapahoe County Justice Center 7325 South Potomac Street, Centennial, CO 80112	
IN RE: 2011 EIGHTEENTH JUDICIAL DISTRICT GRAND JURY	COURT USE ONLY
Attorney: CAROL CHAMBERS, 18 th Judicial District Attorney 6450 S. Revere Parkway, Centennial, CO 80111 Phone Number: 720.874.8500 Atty. Reg. #: 14948	Grand Jury Case Number: 11CR0001 Division/Ctrm:
18th JUDICIAL DISTRICT GRAND JURY REPORT	

The 18th Judicial District Grand Jury of 2011 ("Grand Jury") has determined that it would be in the public interest to issue a report regarding the shooting death of Andrew Graham on or about November 5-6, 2009, in unincorporated Arapahoe County, Colorado. By this report, the Grand Jury finds that the investigation of the Graham homicide involved allegations of the commission of Murder, a class 1 or 2 felony.

Over the course of its initial twelve month term, the Grand Jury met 22 times on this investigation. The Grand Jury heard testimony from 63 witnesses, some of whom testified on multiple occasions. The Grand Jury was present and received for review over 106 exhibits which included photographs, letters, transcripts, interviews, video and audio recordings. The Grand Jury agreed to extend their term for an additional six months.

The evidence presented showed that on the morning of November 6, 2009, Andrew Graham's body was found in the front yard of a home in a residential neighborhood. It was subsequently determined that Mr. Graham was the victim of a homicide, and the cause of death was a gunshot wound. Law enforcement responded to the scene to begin its investigation into the death of Andrew Graham.

Prior to the convening of the Grand Jury, law enforcement's investigation had developed four possible suspects. During the grand jury proceedings, multiple other suspects were identified. Based upon the evidence available at this time, the Grand Jury is not able to determine which, if any, of these suspects may have been involved and which were not.

Because of the way in which this crime was committed, there is very little physical evidence that would assist in determining the identity of the person or persons who committed this homicide. Therefore, the statements of those who may have been present are particularly important to solving this case.

While law enforcement did obtain statements from some individuals who indicated that they may have been present or that they knew who was present, the Grand Jury learned that these statements have changed, been recanted, conflict with objective physical evidence, or are based not upon firsthand knowledge but rather upon other, mostly unidentified, sources.

Many possible witnesses refused to voluntarily speak with law enforcement. However, the Grand Jury heard directly from witnesses, and also received as evidence the statements that individuals had made to law enforcement during the course of the investigation. The Grand Jury had the opportunity to press the witnesses on the source and extent of the information they provided both to the Grand Jury and to law enforcement. Witnesses who had previously refused to speak with law enforcement did comply with their subpoenas to appear before and testify to the Grand Jury. No witness unlawfully refused to answer questions before the Grand Jury.

The Grand Jury has received conflicting, unsubstantiated testimony and evidence. At this time, the Grand Jury is unable to determine what the facts are. When questioned during their testimony, witnesses:

- Recanted their previous statements to law enforcement
- Changed their accounts of what had happened
- Conceded that the information they originally provided to police had been obtained from law enforcement or news media
- Conceded that they did not have any first-hand information
- Indicated that the source of their information was rumor, assumption or hearsay
- Were unable to provide a connection between statements or admissions that they heard from others and the homicide of Andrew Graham
- Provided information that was contradicted by the objective physical evidence in the case

The Grand Jury also was advised that prior to the Grand Jury being convened, a number of witnesses, including some possible suspects, recanted statements they had made to law enforcement.

The Grand Jury is not aware of any further witness who may be able to shed light on this crime. This Grand Jury feels they have exhausted all avenues at this time. The Grand Jury is hopeful that in the future additional information will come forward that will rise to the level needed to determine the facts in this case and hold someone accountable for Andrew Graham's homicide.

Despite its efforts and the efforts of law enforcement, at this time the Grand Jury does not have reliable, corroborated information from which to make decisions regarding the death of Andrew Graham.

I, **REDACTED**, the Foreperson of the 2011 Eighteenth Judicial District Grand Jury, do hereby swear and affirm that this report issued by the 2011 Eighteenth Judicial District Grand Jury was arrived at after deliberation and with the assent and agreement by at least nine members of the 2011 Eighteenth Judicial District Grand Jury.

REDACTED
FOREPERSON

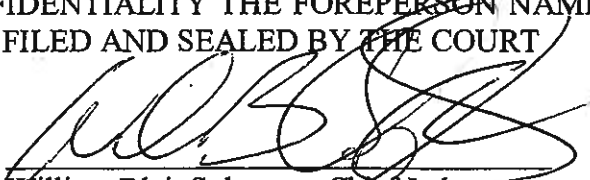
Subscribed and sworn to before me in the County of Douglas, State of Colorado on the 26TH day of JUNE, 2012

/s/ Original Signature on file
NOTARY PUBLIC
My Commission Expires:

Received this 26th day of June, 2012.

Carol Chambers, District Attorney
By: /s/ Original Signature on file
Robert A. Chappell #6638
Assistant District Attorney

****PURSUANT TO ORDER FOR CONFIDENTIALITY THE FOREPERSON NAME HAS BEEN REDACTED, ORIGINAL REPORT FILED AND SEALED BY THE COURT


William Blair Sylvester, Chief Judge
18th Judicial District
7/10/12