

# STATEMENT OF PROBABLE CAUSE, cont.

G.S.S. & C. No. 2016-857 Page \_\_\_\_\_ of \_\_\_\_\_ pages

Name of Arrested Party Calvin Johnson Date of Birth 06/24/71

Date and Time of Arrest January 14, 2016

Name of Officer Making Statement (Last, First, Middle Initial) <b>Martin J Smith</b>	Serial No. <b>91016</b>
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**COMPLETE THIS SECTION ONLY IF THIS IS AN ORIGINAL STATEMENT OF PROBABLE CAUSE**

I am a police officer for the City and County of Denver, Colorado, and have knowledge regarding the arrest of the above named party for the below listed offense, which offense occurred on the date of 01/01/16 at 922  a.m.  p.m. at the location of 1025 Acoma Street in the City and County of Denver, State of Colorado.

Municipal Code of the City and County of Denver; Violation: \_\_\_\_\_

Colorado Revised Statutes; Violation 18-3-102 (a) First Degree Murder

<b>VICTIM'S FULL NAME AND DATE OF BIRTH ARE MANDATORY.</b>				Victim/Witness Address Confidential? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Victim's Last Name <b>Teodoro</b>	First <b>Leon</b>	Middle	DOB <b>12/24/65</b>	SSN	Business Phone ( )
Home Address			City	State, Zip	Home Phone ( )
If leaving home, address where victim can be located					

Probable Cause:

On January 1, 2016, at approximately 9:15 am, officers from the Denver Police responded to 1025 Acoma Street on a report of a man down in the alley behind the location. Upon arrival the officers found a deceased male who was later identified as Leon Teodoro (12/24/65) behind this location.

When Detective Lopez, and Detective Martin Smith, arrived on scene they observed that Teodoro was a transient and that he had apparently been camping at this location. Detectives observed several pieces of cardboard on the ground covered by several layers of blankets and a sleeping bag. Detectives observed that Teodoro had several large lacerations to his face and head area. Detectives also observed a faint trail of suspected blood leading to the south away from the deceased.

Investigator Chip Whitley from the Denver Medical Examiner's Office arrived on scene to take possession of the deceased. Investigator Whitley conducted a brief examination of the deceased and found that Theodora had numerous lacerations and stab wounds to his face, head, front torso, back and to his hands. There was also a large amount of blood on the ground and on the deceased.

On January 2, 2016, Detective Lopez responded to the Denver Medical Examiner's office where he was present during the postmortem examination of Teodoro. During the examination which was conducted by Forensic Pathologist Dr. Caruso, Detective Lopez observed over ten lacerations and stab wound type injuries to the head and face of Teodoro. Detective Lopez also observed multiple stab wounds to the front torso and to the back of Teodoro. Based on this examination the death of Teodoro was being investigated as a homicide.

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On January 2, 2016, at approximately 9:15 pm, Sergeant Rowe from the Denver Police Homicide Unit made phone contact Detective Lopez. Sergeant Rowe forwarded an e-mail chain from Susan White from the Colorado Department of Corrections. The relevant portions of the e-mail were written by [REDACTED] who is an employee at Second Chance Center of Colorado, which is an agency that works with parolees from the Colorado Department of Corrections.

In the e-mail [REDACTED] made reference to a client by the name of Calvin Johnson (06/24/71) who had been corresponding through text messages with [REDACTED] who also works for Second Chance Colorado. It appeared that these text communications between Johnson and [REDACTED] took place sometime on January 1, 2016. The e-mail outlined several text messages between Johnson and [REDACTED]. The e-mail indicated that [REDACTED] was sharing these text messages from Johnson because Johnson had eluded to the fact that he had assaulted someone or done something worse to someone on New Year's Eve.

In one of the texts Johnson texted about getting into it with a guy at his campsite awhile back and mentions that [REDACTED] had asked him why he did not kill him. Johnson goes on to text that he wanted [REDACTED] to ask his connections what he was pushed to do last night and to ask him if he was satisfied yet. Johnson then refers to himself as Calvin/Elijah the prophet/crazy killer. [REDACTED] begins asking Johnson what he did last night and specifically asks Johnson if he hurt or killed someone to which Johnson replied through text that you already know the answer to that. Johnson's text began to ramble on about wanting concessions and things of value from the Second Chance Center. [REDACTED] responded that he was going to request that Johnson be removed from the program to which Johnson replied something along the lines that he did not come out and say everything and he then accused [REDACTED] of putting words in his mouth.

Within the thread of e-mails Detective Lopez observed a notation that Johnson who is homeless camps in the area of 10th and Lincoln St. which is less than two blocks from 1025 Acoma Street where Teodoro was murdered.

After reviewing this e-mail Detective Lopez made phone contact with District Six Sergeant Flint. Detective Lopez briefed Sergeant Flint on the details of the Teodoro homicide and about the information related to Johnson. Detective Lopez requested that Sergeant Flint check the area around 10<sup>th</sup> and Broadway for Johnson. Detective Lopez explained to Sergeant Flint that Johnson was not to be arrested, but rather he was to be contacted.

On January 2, 2016 at approximately 10:36 pm, Detective Lopez was advised that Johnson was found at a camp site behind the Sports Authority in the alley at 1000 Broadway. Detective Lopez requested that Johnson be asked to voluntarily come to Denver Police headquarters to speak with a detective about a recent homicide. Detective Lopez was advised that Johnson agreed to speak with detectives and he was then transported to Denver Police Headquarters. Detective Lopez requested that a uniformed officer standby at Johnson's campsite to protect his personal property and to also secure the location for a potential search warrant.

On January 2, 2016 at approximately 11:25 pm, Detective Lopez conducted an audio and video recorded interview with Johnson. Johnson admitted to having a past altercation with another homeless person over some items he thought were stolen from him. Johnson described this person as an older, short, white male with a beard which fits the description of the homicide victim; however when Johnson was shown a photograph of Teodoro he denied that he was the person he had an issue with and he denied knowing him at all. During the interview Johnson admitted to corresponding with [REDACTED] however he denied assaulting or hurting anyone.

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During the interview Detective Lopez observed a few small lacerations on Johnson's right hand and Detective Lopez asked Johnson if he would allow photographs to be taken to document any injuries he had on his body. Johnson agreed to be photographed by Crime Scene Investigators. During this process as Johnson was being photographed, Detective Lopez observed suspected blood on the sleeve/cuff area of Johnson's outer jacket. Detective Lopez also observed suspected blood on Johnson's sneakers. Johnson gave verbal consent allowing Detective Lopez to collect and test his sneakers and his coat for any possible blood. The sneakers and the coat were collected and placed into the Denver Police Property Bureau. Johnson's coat was very distinctive. The coat was a two toned winter jacket with the word "Colorado" displayed on the upper back portion of the coat.

During the interview Johnson told Detective Lopez he did not have any weapons to defend himself at his camp, Johnson claimed he only needed his fists to defend himself. Detective Lopez specifically asked Johnson if he had a knife and Johnson advised that he did not have a knife. During a break Detective Lopez was advised by Officer Duran that Johnson had told Sergeant Flint at the scene that he had a knife in his tent for protection. When Detective Lopez confronted Johnson about this contradiction, Johnson claimed that the officer was telling lies and several times denied having a knife in his tent.

Johnson eventually admitted to Detective Lopez that he had a survival knife in his tent where the officers contacted him. When asked why he had lied about this knife Johnson claimed he had not lied and claimed that he thought he was being asked if he had a knife on his person.

On January 3, 2016, Detective Lopez obtained a search warrant from the Honorable Judge Campbell to search Johnson's tent. During the search a large survival knife with suspected blood on the blade was recovered from the tent. After the search was conducted Johnson's parole officer requested that Johnson be held on a parole violation. Johnson was arrested and placed into the Downtown Detention Facility.

On January 4, 2016, Detective Lopez submitted a laboratory request related to several items of potential blood evidence including but not limited to the knife, and Johnson's coat and shoes.

On January 6, 2016, Detective Molyneaux and Detective Saulton advised Detective Lopez that they had pieced together several segments of video surveillance footage which put a time line on the homicide.

The video from a nearby day care center showed the victim presumptively setting up his camp at 8:14 pm. There was no one observed coming or going from the alley until 9:28 pm when a male with a shopping cart appeared to approach the victim. The male walks away from the victim and then began looking into nearby dumpsters. The person in the video had a two toned winter coat on with lettering displayed across the top back portion of his coat. The night vision camera washed out any colors that were present; however the coat this person was wearing was consistent with the coat worn by Johnson the night he was arrested. This party was then observed leaving the alley with his shopping cart to the south of the location.

At 9:40 pm, a male is observed coming from the south and walks directly over to where the victim was camping. The video does not clearly show this person; however the coat this person was wearing appeared to be identical to the coat the person was wearing the first time he entered the alley. The male does not have a shopping cart with him this time. The person walked directly over to the victim and Detective Lopez could then see a lot of movement consistent with a violent assault in the area where the victim was stabbed to death. The male then walks back to the south out of camera view.

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Detective Lopez was also shown a surveillance video which was positioned in the 1000 block alley between Broadway/Lincoln. The camera was pointed to the north and was located about 25 yards south of where Johnson's tent was located. The video showed a person pushing a shopping cart walking south to north in this alley towards Johnson's tent. The person was observed approximately 2 minutes after the stabbing occurred. The approximate distance between this surveillance camera and the location of the homicide is about a block and a half.

On January 11, 2016, at 7:00 a.m., Detective Smith received a Denver Crime Lab Forensic Biology Unit Report. The report indicates that a chemical indication of blood was detected on the scene swabs. Blood was also detected on shoes, and a jacket, that was clothing worn by Calvin Johnson, and the knife, that belonged to Calvin Johnson. The report indicates the known blood sample of the victim, Leon Teodoro, will be compared to the blood recovered from the clothing and the knife.

On January 13, 2016, at 7:00 a.m., Detective Smith received a Denver Crime Lab Report from the DNA Unit. The report indicates the DNA profile obtained from the top edge of the knife blade, and the stain from the serrated edge of the knife blade, the scene swabs, and the blood from the right shoe, are consistent with one male contributor and match the victim, Leon Teodoro. The report also indicates the DNA profiles obtained from the jacket stains present as a mixture of at least two people. The major male DNA profile from these mixtures matches Leon Teodoro.

The knife recovered from the search warrant of the camp site belonging to Calvin Johnson, contained blood that matches the victim, Leon Teodoro. Clothing recovered from Calvin Johnson also contains victim's blood.

I swear under penalty of perjury that the above statements made by me are true to the best of my knowledge and belief.

*Martin Smith* 9/11/16  
Signature of officer making statement of probable cause

Probable Cause FOUND       Probable Cause NOT FOUND

Comments: \_\_\_\_\_

\_\_\_\_\_  
Signature of Judge/Magistrate      Printed Name      Date & Time of Determination

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