

DISTRICT COURT, ARAPAHOE COUNTY, COLORADO

DATE FILED: January 25, 2019 1:58 PM

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WARRANT

I, Investigator Andrew R. Fehringer, of lawful age and being first sworn upon oath, state that I have probable cause for believing that:

AHERN, IAN ARCHIBALD  
DOB: 09/04/77

did commit the crime(s) of:

18-3-405.3(1)(2)(B) Sex Assault on a Child – Position of Trust – Pattern of Abuse F3  
18-3-405.3(1) Sex Assault on a Child – Position of Trust – Pattern of Abuse F4  
18-3-405.3(1) Sex Assault on a Child – Position of Trust – Pattern of Abuse F4  
18-3-404(1.5) Unlawful Sexual Contact – Expose M1

on/or between 01/2014 – 05/2014, 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 #AC19-929, which was written by Arapahoe County Sheriff's Deputy DAN TIPTON, and was subsequently read by this Affiant. Information taken from this report has been paraphrased by this Affiant.

On 01/16/19, at about 0951 hours, School Resource Office Deputy DAN TIPTON received a Safe2Tell notification (#789-W42817) from an anonymous party reference a sexual assault allegation that occurred at [REDACTED]:

[REDACTED]  
Centennial  
Arapahoe County  
Colorado

The notification stated that Mr. Ahern and an unidentified student had a relationship in 2014 and 2015. Mr. Ahern was identified as:

AHERN, IAN ARCHIBALD  
DOB: 09/04/77

The notification stated that IAN had begun to spend more time with a student during her junior year (2014) to include off hours and lunch periods. The notification stated that the student appeared to be “leaning” on IAN after the school shooting (December 2013 – Clair Davis). The notification stated that after the summer following her junior year, the student’s behavior had changed and she now avoided talking to IAN and avoided spending time with him. The notification stated that IAN’s behavior also changed; IAN began to have outbursts and he would yell and scream at the students.

The Safe2Tell report continued by stating IAN would talk to this student about sexual frustration with his wife and would he would go into detail about previous relationships. IAN would put his hand on the student’s leg and make her sit in his lap while in his office. The report stated IAN would touch the student inappropriately, sometimes while others were around. The report states that at the end of this student’s junior year, IAN had grabbed her, groped her, kissed her and touched her private while in his office. The student left in a panic after this occurred.

The Safe2Tell ended with a request from the reporting party; the request was that IAN not be allowed to be left alone with students in his office and to be removed from the staff.

The [REDACTED] staff began to check into the accusations and found emails between IAN and another student named:

[REDACTED]

The emails were concerning enough that the Littleton Public Schools (LPS) administration placed IAN on paid administrative leave while the allegations were investigated.

I found that the principal, assistant principal, LPS Human Services, and the LPS IT (Information Technology) department were involved researching IAN’s past. They were later identified as:

[REDACTED]

The emails found were from 2014. The emails found on 04/24/14 stated:

[REDACTED] “Lol at you

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IAN: "Back at you"  
██████████ "██████████ sucks don't you agree"  
IAN: "No. I do not. I like ██████████. She is kind, helpful, and brings me pumpkin bread. ██████████ is quite cool actually."  
██████████: "I bring better things than pumpkin bread so love me more."  
IAN: "Oh, I do. I just like ██████████ too. Now that she called me a ho she's gone down a step"  
██████████: "You cool. Does that move me up?"  
IAN: "I'm sure you can find a better way to get moved up"  
IAN: "You're the best. 143". (The school administrators believed 143 was code for "I Love You").

I have reviewed the emails and found that on 01/08/14, IAN had contacted a counselor requesting that ██████████ would be able to assist him again during the second semester.

The emails found at the time of this report have been obtained.

I was able to find contact information for ██████████ and another student that was mentioned in the emails:

██████████  
██████████

On 01/17/19, at about 1437 hours, I contacted ██████████ and she told me the following in essence:

She knew ██████████ and IAN.

She went to school with ██████████ and IAN was her teacher. He taught DRAMA; ██████████ was involved in theater ██████████.

She was in theater all four years in high school.

IAN was closed to ██████████.

She knew about the Safe2Tell; ██████████ boyfriend had submitted it. Her boyfriend was identified as ██████████.

██████████ is her best friend.

She did not believe ██████████ wanted to take legal action (I later talked to ██████████ and she does want to take legal action).

██████████ was part of a publicity office and spent many hours with IAN after school hours.

IAN and [REDACTED] were in his office often with the door closed.

[REDACTED] told her that IAN had groped her and tell her to kiss him.

She believes the incidents occurred in January 2014.

[REDACTED] told her that she had took off her shirt in front of IAN.

[REDACTED] told her about one year ago.

She was told that IAN would text message [REDACTED] what he wanted to do to her [REDACTED].

She believed that IAN had taken advantage of [REDACTED] after the school shooting.

She did not see the text messages.

The incident occurred when [REDACTED] was seventeen years old.

On 01/18/19, at about 1400 hours I contacted another friend of [REDACTED] that [REDACTED] told me may be someone that I needed to talk to. She was identified as:

[REDACTED]  
[REDACTED]

[REDACTED] told me the following in essence:

She knew why I was calling and [REDACTED] had told her.

She knew about the Safe2Tell

She has been friends with [REDACTED] since she was young; she knew [REDACTED] in high school.

She met [REDACTED] in theater.

IAN was her drama teacher.

[REDACTED] was the publicity officer and she [REDACTED] was in IAN's office alone, often.

[REDACTED] ate lunch in his office with IAN.

IAN spent time with [REDACTED] and [REDACTED].

██████████ were IAN's favorites.

There was an incident when IAN made inappropriate comments about ██████████ breasts.

The class was to go to THESCON in Denver and they were going to be staying overnight downtown.

He yelled about not wanting to hear about ██████████ boobs which she found odd.

IAN would "always" have ██████████ sit on his lap during lunch. (She and others would also be in the room during lunch at times).

██████████ told her that IAN would rub her leg and butt.

IAN would sit in his seat.

The events happened after the CLAIRE DAVIS homicide.

It was after the shooting that ██████████ hung out with IAN more often.

IAN and ██████████ would text and Email each other.

She heard that IAN visited ██████████ outside of school.

She has been told that IAN took her shirt off and molested her – he ran his hands over her body and kissed her.

IAN became "icy" and angry after the relationship ended, which was around the beginning of their senior year.

She has been told that IAN's wife found out that he was talking to ██████████ via Facebook.

I was able to contact ██████████ and she agreed to speak with me on 04/18/19 at about 1430 hours. When I talked to her on 01/17/19, I confirmed with ██████████ that she was the student referenced in the Safe2Tell tip and that the relationship referenced occurred when she was seventeen years old. She told me the following in essence:

She believed IAN groomed or took advantage of her; he made her feel more special than others.

Things happened after the CLAIRE DAVIS homicide/funeral.

During her off hours she began to spend more time in the theater; IAN let her do this and they began to talk more.

Around the end of January 2014, IAN told her that he had feeling for her that he shouldn't have. She didn't immediately respond and he became irritable. She left the campus and thought about what he told her. She felt she had to go along with what he told her because she would not get the same special treatment. After returning to campus, she told IAN that she felt the same way.

IAN had begun to text message her more often.

He created a Tumblr account and sent her messages.

Using the account, IAN sent her messages and talked about fantasies reference wanting to take her virginity.

IAN sent her photographs (gifs) and videos of pornographic images; they were usually older men with younger girls. The pornography was graphic. (██████████ stated that sex was men with their mouths on the woman's vagina's and penis to vagina type images).

He told her that he was having issues with his wife and he believed that his wife loved his kids more than she loved him.

IAN would let her and her friends eat lunch in his office and she would sit on his desk; he would sit in his chair and he would rub her leg. (I have been told that others in the room could not see IAN touching ██████████ because of the location of where everyone was sitting).

IAN told her about a scar on his penis that he received from his circumcision. She has not seen his penis; he did make her touch it once (while it was in his pants).

She always felt uncomfortable with IAN touching her because he touched her when other students may see what was happening.

Once, while they were leaving the theater area, IAN turned off the lights and as they were walking out of the room he put his hand up her dress and grabbed her buttocks.

██████████ believed IAN had touched her buttocks more than once but she cannot remember any other times. She said IAN would often put his arms around her and put his hand close to her breast.

On the last day of school (of her junior year), she was alphabetizing scripts in IAN's office. She was standing on a chair.

IAN had been pressuring her “a couple weeks prior” telling her that he was never going to be able to touch her or kiss her and that she was doing everything for attention. He told her it was all fake.

IAN came into the office and pressured her. He asked her “are you going to do it, are you going to do it. She felt she had no choice.

She kissed him and he put his tongue in her mouth.

She got off the chair and he said “that’s it, that’s all I get”.

She mentioned the window and how others would see; he told her no one pays attention and that no one would see.

IAN convinced her to take her bra off, which she did. He told her to come to him and he had her lift up her shirt.

IAN kissed her breast multiple times. While this occurred, IAN grabbed [REDACTED] hand and put her hand on his erect penis. His penis remained in his pants and he put her hand on IAN’s pants.

Eventually she pulled away, put her bra back on, pulled her shirt down, and walked away.

That night she cried in her room.

She had only kissed him the one time but he had pressured her to kiss him at other times.

He would touch her or wrap his arm around her a least once a day.

He told her “all of the time” that he could get a hotel room; he talked about wanting to take her virginity and told her how gentle and careful he would be. She would try to make reasons for not getting hotel room. She mentioned how his wife would see the bank statement and he stated that he and his wife have separate accounts.

He ended the relationship in June or July 2014, after she told him that she had kissed other boys. He told her that they were done.

IAN had also tried to get [REDACTED] to send pictures; she did send some pictures but none of them were of her naked. She sent pictures of herself in her underwear. Once he commented about a picture that, if it was lightened up, he could see her breasts.

The sexual contact between [REDACTED] and IAN occurred at [REDACTED]:

██████████  
██████████  
██████████  
██████████

After interviewing ██████████ I talked to ██████████, who had arrived with her for the interview. ██████████ told me the following in essence:

██████████ and ██████████ live together and have been boyfriend and girlfriend since high school.

He was also in Drama Club and knew IAN.

██████████ would always hang back and be around IAN.

Initially when he talked to ██████████ about the relationship, she stated she was just anxious and that talking to IAN made her feel more comfortable. ██████████ reference the school shooting for ██████████ being anxious.

Other students would make comments that ██████████ got her positions because of her relationship with this person (IAN). ██████████ became noticeably frustrated with the comments.

██████████ stormed off and he later found her in an area of the theater area that was dark and secluded (possibly an electrical room). He found her with IAN alone; she was angry and sad and yelled at ██████████ She told him that she needed more time. He encouraged her to come with him ██████████.

He talked about an incident in which there was a show involving the girls wearing lingerie (he did not state that ██████████ was one of the girls). The student director (██████████) was trying to have the girls covered up more and IAN argued that they didn't need to be as covered up. He found this situation strange, that the student was trying to keep the girls covered up more and IAN, the teacher, was not.

During ██████████ senior year he asked her about her relationship with IAN and she broke down and cried. At that time ██████████ did not disclose anything that happened between her and IAN.

About 1 ½ years ago, ██████████ told him what had occurred.

██████████ told him about the weird messages, about being touched, and about the last day. ██████████ told him that IAN would grab her bottom when others were around. The final event he was told about was IAN kissing her, taking her bra off, and touching her.



██████████ was unsure, but believed that ██████████ told him that IAN grabbed her hand and moved it to his groin area.

Over the past year ██████████ has not slept well and the events that occurred in high school have bothered her. She would not talk about the events for a few weeks and then would talk about them. ██████████ was worried that what happened to her would happen to someone else.

██████████ stated it took a long time for ██████████ to even talk about what occurred.

Over the past few weeks ██████████ had become increasingly more anxious.

It was decided to tell the school what had occurred.

After the interviews ██████████ completed a pretext phone call with IAN. He told ██████████ the following in essence:

He had a Safe2Tell on Wednesday and he was not told what it was about.

He was sent home from school.

He assumed the Safe2Tell was about ██████████.

He had to tell his wife because of all the time he had missed from school.

He told his wife that he had a Tumblr account and exchanged videos and “gifs” with a student.

He told her that she had “nothing” and then stated “this wasn’t you then?”

He stated he has only told his wife.

He stated since the Safe2Tell tip was anonymous he was holding “out hope” but since ██████████ called he was concerned.

He stated that there were no cameras at the school and “they” did not see what they “did”.

██████████ asked if IAN had told his wife about the physical stuff and he stated “no”. IAN stated that this was the “story he was going to go with” was that nothing physical happened between them. ██████████ stated that something physical did happen and IAN stated “I understand that”. He continued by stating that ██████████ needed to understand the position that he was in. He stated that he could spend ten years in jail and that his wife wanted to divorce him. He stated that

he had a ten year old kid and an eleven year old. He overall stated that he wanted to stay out of jail.

He stated that “this” was not his doing and that he did not call in the Safe2Tell.

IAN acknowledged that [REDACTED] was seventeen when this occurred and stated that it was all his fault.

IAN stated he was worried that the cops would be looking at their phone records and that he and [REDACTED] should not be talking.

IAN talked about what could happen to him and he stated that he may have to register as a sex offender, that probably he won't be able to teach, that he stated that he may “lose his life” and go to prison.

IAN told [REDACTED] that he would hope she would “stick to his story” and not tell law enforcement that they did things on ling and nothing physical happened.

He stated that he hoped that may save him something.

[REDACTED] asked him if he remembered what happened and he stated that he really did not remember everything. He mentioned that he did not have legal representation yet and didn't know what he could talk to her about.

IAN apologized to [REDACTED] and stated that he should have been a “mature adult” and that what he did was stupid.

He stated, being that she had not contacted him, that she had just letting “it all go”.

She told him that “maybe” she should tell the cops that he touched her and he told her that she could do whatever she wanted to do on his end.

[REDACTED] asked IAN if he was going to tell his wife about the touching and he stated “no” that he was not. She asked IAN if he believed she would find out and he stated that he believed his wife would find out.

At about six minutes into the conversation IAN stated that he was not sure he should be talking to her about what had happened. She asked him if he remembered the last day in his office and he immediately said “no”. He stated he “can't really talk about this” because he did not know what the ramifications were.

[REDACTED] continued to pressure him about what occurred and he commented that she could be recording the conversation. He states that someone must know because of the report.

He stated that he told “absolutely” zero people. He stated that he has never done this with anyone else. He stated he deleted everything “that was there”. He used the “other account” that other [REDACTED] kids could use. He stated he deleted it years ago.

He stated this was the first thing he did wrong and stated he could not talk to [REDACTED] about it.

[REDACTED] talked about how she felt in 2014, when they were in the relationship. IAN told [REDACTED] that he believed that what happened was something she wanted. She asked him if he believed her, as a teenager, really wanted to have sex with him and he did not respond.

[REDACTED] asked IAN if he believed he was going to get away with it. IAN could not answer the question. He stated that his career was over, his life was over, and he was probably going to be getting a divorce and going to prison. [REDACTED] asked him if he believed he deserved it and he stated “part of me, yes I do”. He stated he would do everything he can to get out of “this”.

She asked him about the things that they did in his office and asked him if he was “fazed” by that. He stated he was “fazed” by what had occurred in the last two days.

She confronted him about him touching and kissing her breasts and having her touch his penis and he denied the accusation. He claimed he did not remember those things and denied them. IAN ended the call after 12 minutes and 20 seconds.

On 01/22/19, at about 0821 hours, I talked to [REDACTED]. She told me the following in essence:

She was told about the Safe2Tell and contacted LPS Human Services (MICHEAL JONES).

She had [REDACTED] look through rosters in an attempt to find a student that had changed during the time of the Safe2Tell tip.

They narrowed down the field to [REDACTED], who had dropped her theater classed her senior year.

She knew [REDACTED] to be a very emotional girl and remembered that he dated [REDACTED]. She had a suspicion that [REDACTED] had made the Safe2Tell tip because of how the tip was written; she could tell who ever completed the tip cared for the student that had been the victim.

IAN’s emails were accessed and they found concerning emails (see above).

██████████ called IAN into an office when it was decided to place him on administrative leave.

When IAN was told that he was being placed on leave he had an odd reaction. ██████████ did not recall ██████████ telling IAN the details to why he was being placed on leave.

IAN just sat back, shook his head, and stated that he could not believe the timing (the school play was starting the weekend this occurred).

IAN made a comment that something similar to this had occurred to him when he was at Cherokee Trail High School and it was unfounded. He stated that he was not renewed at Cherokee Trail due to the allegations.

██████████ did not question him about what he was talking about.

She believed that IAN was only told the current allegation were serious.

On 01/22/19, I contacted ██████████ and he told me the following in essence:

His security officer obtained the Safe2Tell and notified him.

He contacted ██████████ and went to the school.

IAN was called into an office to be placed on leave.

The exact information of the Safe2Tell was not given to IAN.

He was told that there were allegation reference interaction between him (IAN) and a student.

██████████ has been in education for 32 year and had never seen anyone react as IAN had.

IAN had leaned back in his chair and crossed his arms.

IAN stated "ok"; ██████████ thought that IAN's action were those of resignation.

IAN stated he understood.

IAN stated that the "same thing" happened at Cherokee Trail, it was unfounded, and he was fired.

IAN only had questions about the current play that was opening that weekend.

██████████ advised IAN not to talk to anyone about what was occurring.

IAN wondered if he should contact the education association (teacher union).

██████████ stated that he contacted Cherry Creek Schools District reference IAN's statement reference being fired. The person's ██████████ contacted did not have any information reference IAN's not being renewed.

██████████ informed me that IAN had his school computer and is currently using the computer to contact attorneys.

On 01/22/19, at about 1123 hours, I talked to ██████████. She overall told me about looking through the school roster and finding a possible connection to ██████████. She stated that she remembered ██████████ who was very emotional and different during her senior year. She stated ██████████ was uncomfortable talking in front of the class, which was odd because she was in theater and had not been uncomfortable in the past. She stated that ██████████ would come to class crying and would not want to see a counselor. She would often be fine by the time class ended. Prior to her senior year she had been highly invested in theater.

It was found that IAN committed the crimes of 18-3-405.3(1) – Sex assault on a child position of trust (x2 – grabbing ██████████ buttocks, kissing ██████████ breasts and having her touch his penis), 18-3-405.3(1)(2)(b) – Sex Assault on a Child – Position of Trust – Pattern of Abuse, and 18-3-404(1.5) Unlawful Sexual Contact (convincing ██████████ to expose her breast for sexual gratification).

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CR # AC19-929


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

AHERN, IAN ARCHIBALD  
DOB: 09/04/77

for the charge (s) of:

18-3-405.3(1)(2)(B) Sex Assault on a Child – Position of Trust – Pattern of Abuse F3  
18-3-405.3(1) Sex Assault on a Child – Position of Trust – Pattern of Abuse F4  
18-3-405.3(1) Sex Assault on a Child – Position of Trust – Pattern of Abuse F4  
18-3-404(1.5) Unlawful Sexual Contact – Expose M1

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

  
14093  
Andrew R. Fehringer, Affiant

SUBSCRIBED AND SWORN TO before me on this 23rd day of January AD 2019.

RONDA L. MCGUINNIS  
Notary Public  
State of Colorado  
Notary ID # 19964005010  
My Commission Expires 05-05-2021

  
Notary Public

My Commission Expires: 5/5/2021