

State of Oklahoma, County of Rogers

Probable Cause Affidavit

DISTRICT COURT

MUNICIPAL, CITY OF CLAREMORE

LOCATION OF OCCURENCE

LOCATION OF ARREST

OCCURRED
20:38:17 05/12/20

ARRESTED
20:38:17 05/12/20

ARRESTEE NAME (LAST, FIRST MIDDLE)
HER, KEVEN KEVEN
STREET ADDRESS, CITY STATE

RACE SEX HGT WGT HAIR EYES SKIN
A M 5'05" 160 BRO
DOB SOC
02/03/98

EMPLOYER/SCHOOL

HOME PHONE OLN/STATE

EMPLOYER ADDRESS

OSB# FB#

ADDR

PHONE

NEXT OF KIN

RELATIONSHIP

SCARS, MARKS, AND TATTOOS

CITY OF BIRTH

TAG#	TAG STATE	TOWED BY
TOWED VEHICLE	VEH YR	VEH MAKE
	VEH MODEL	VEH STYLE
		COLOR

ARRESTING OFFICER	BADGE#	AGENCY	BACKING OFFICER	BADGE#	AGENCY
Jones W	Z1	RCSO			

STA	FEL	CRIME DESCRIPTION	TITLE	SECT	WARRANT#	BOND	COUNTS
STA	M	RECKLESS CONDUCT WITH FIREARM	21	1289.11			1
STA	F	CHILD NEGLECT	21	843.5.C			1
STA	M	POSSESS CONTROLLED SUBSTANCE	63	2-402			1
STA	M	POSSESS DRUG PARAPHERNALIA	63	2-405			1

(PC STATEMENT)

On May 12th 2020 at approximately 2040 hours, Deputies were dispatched to _____ for an accidental shooting. The above address is within the jurisdiction of Rogers County. The 911 caller identified himself as Keven Her. Keven stated a 3-year-old male was shot in the abdomen by a 9mm pistol. Fire and medical arrived on scene a short time later and began treating the victim and transported him to Saint Francis Hospital in Tulsa.

Deputies arrived on scene and began interviewing the occupants of the residence. During their investigation Deputies learned that Keven Her, was the person responsible for discharging the firearm. Deputies placed Keven in a patrol vehicle without hand restraints.

I, Sgt. Wes Jones, arrived a short time later and interviewed Keven in my patrol vehicle unrestrained. Sgt. Williams was present during the interview. The interview was audio recorded. I read Keven the Miranda Warning from a card I carry in my pocket. Keven advised he understood his rights and agreed to speak with me. Keven advised he is an Owasso high school graduate and speaks English as his first language.

During the interview Keven advised he lives at the above residence with his parents. Keven advised the 3-year-old victim is his nephew. Keven stated he was putting his firearm away. The firearm is a Glock 9mm model 17 pistol. Keven advised his nephew likes shooting guns. Keven advised he removed the magazine and cocked the firearm for his nephew. Keven stated his nephew pointed the firearm at him and pulled the trigger. Keven advised he heard it click. Keven advised he took the firearm away from his nephew and cocked the firearm. Keven said he was playing with his nephew and the gun went off. Keven stated he pointed the gun at his nephew's abdomen and pulled the trigger and the firearm discharged. Keven advised he thought the magazine was not in the firearm. Keven could not explain how the magazine got into the firearm. Keven advised after he discharged the firearm, he threw it down. Keven said he checked the firearm and realized the magazine was in the firearm. Keven advised he placed the firearm on the table. Keven advised he called 911. Witnesses to the incident corroborated parts of Keven's version of events, specifically that Keven shot the victim.

I asked Keven if he was under the influence of drugs or alcohol and he advised no. I asked Keven if he had a medical marijuana card and he advised no. Investigators obtained a search warrant for Keven's residence. During the execution of the search warrant, Investigators discovered 28 grams of marijuana in Keven's bedroom along with a glass smoking device. Keven was arrested and booked into the Rogers County Jail for Reckless Discharge of a Firearm, Child Neglect, Possession of CDS, and Possession of Paraphernalia.

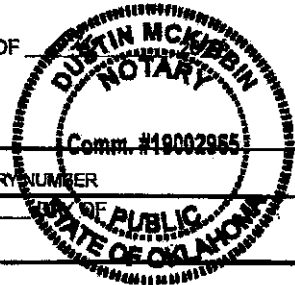
COMES NOW THE UNDERSIGNED AFFIANT, OF LAWFUL AGE AND BEING DULY SWORN, UPON OATH, ALLEGES AND STATES THAT THE ABOVE FACTS UPON WHICH THE PROBABLE CAUSE WERE BASED FOR SUCH ARREST ARE TRUE AND CORRECT AND WERE BASIS FOR SUCH ARREST ARE TRUE AND CORRECT AND PRAYS THIS HONORABLE COURT TO FIND PROBABLE CAUSE TO DETAIN THE ARRESTEE PENDING FURTHER PROCEEDINGS.

FURTHER YOUR AFFIANT SAYETH NOT, [Signature] (officer's signature) THIS 13 DAY OF

SUBSCRIBED AND SWORN TO BEFORE ME THIS 13 DAY OF May, 2020

D. McKibbin

03-21-2023



NOTARY PUBLIC

MY COMMISSION EXPIRES

NOTARY NUMBER

A PROBABLE CAUSE DETERMINATION IS NOT NECESSARY, THE ARRESTEE BONDED OUT OF JAIL ON THE _____ OF PUBLIC _____, 20____, AT _____ AM/PM. _____ (NAME OF JAILER)

PROBABLE CAUSE DETERMINATION

I, _____, JUDGE OF THE DISTRICT COURT/MUNICIPAL COURT, REVIEWED THIS PROBABLE CAUSE AFFIDAVIT ON THE _____ DAY of _____, 20____, AT _____ AM/PM. I MAKE THE FOLLOWING FINDINGS AND ORDER PURSUANT TO GERSTEIN V. PUGH, 420 U.S. 103(1975) AND COUNTRY OF RIVERSIDE V. McLAUGHLIN, NO.89-1817 (U.S. MAY 13, 1991)(LEXIS 2528):

_____ THE AFFIDAVIT CONTAINS SUFFICIENT FACTS SHOWING PROBABLE CAUSE TO DETAIN THE ARRESTEE TO AWAIT FURTHER PROCEEDINGS.

_____ THE COURT SETS AND APPEARANCE BOND IN THE AMOUNT OF \$ _____.

_____ THE COURT DENIES BOND AT THIS TIME.

_____ NO APPEARANCE BOND SET - 48hr. Hold/Release on _____ of _____, 20____, AT _____ AM/PM

Judge of the District Court/ Judge of the Municipal Court

Municipal / District Court Date

