

FILED

DEC 31 2024

PAUL WHITHAM
CLERK
LEWIS & CLARK JUSTICE COURT

1 HP244770
2 Mary Barry
3 Deputy County Attorney
4 Lewis and Clark County
5 Courthouse - 228 Broadway
6 Helena, MT 59601
7 Telephone: (406) 447-8221

8 *Attorney for State*

9 **IN THE JUSTICE COURT OF RECORD**
10 **CITY OF HELENA, LEWIS AND CLARK COUNTY, MONTANA**
11 **Before a Justice of the Peace**

12 STATE OF MONTANA,

Plaintiff,

No. CR-515-2024-939

- vs -

COMPLAINT

13 AARON JOHN GAMS,

Defendant.

14 STATE OF MONTANA)

:ss.

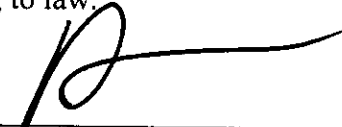
15 County of Lewis and Clark)

16 Lewis and Clark County Deputy County Attorney MARY BARRY, personally appeared
17 before me this date, and being first duly sworn according to law, complains and says the above-
18 named defendant is accused by this Complaint of committing in Lewis and Clark County,
19 Montana, the following offenses:


Count I

20 The facts constituting the offense are that between on or about July 28, 2023 and July 31,
21 2023, the above-named defendant committed the offense of ABUSE OF VULNERABLE
22 ADULT, a felony, in violation of Section 52-3-825(2)(a), MCA, in that the defendant purposely
23 or knowingly sexually abused a vulnerable adult.
24

1
2 Complainant, therefore, prays that a warrant of arrest be issued for the above-named
3 defendant and that he be dealt with according to law.

4 
5 _____
6 MARY BARRY, Complainant

7 Subscribed and sworn to before me this 31 day of December, 2024.

8 
9 _____
10 JUSTICE OF THE PEACE

11 Bond for defendant is set at \$ 50,000

12 POSSIBLE PUNISHMENT:

13 Count I - ABUSE OF VULNERABLE ADULT, a felony: Punishable by a fine not to
14 exceed \$10,000 and a term of imprisonment not to exceed 10 Years.
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13 STATE OF MONTANA,

14 Plaintiff,

No. *CR-515-2024-939*

15 - vs -

AFFIDAVIT

16 AARON JOHN GAMS,

17 Defendant.

18 STATE OF MONTANA)

19 :ss.

20 County of Lewis and Clark)

21 After being duly sworn the undersigned deposes and states I am a Deputy County
22 Attorney for Lewis and Clark County. I submit this affidavit to summarize the investigation
23 conducted by the Helena Police Department regarding the defendant for the Court to determine if
24 probable cause exists to allow the State to file a Complaint alleging the defendant committed the
offense(s) of Count I - ABUSE OF VULNERABLE ADULT, a felony, in violation of Section
52-3-825(2)(a), MCA, based upon the reports of the Helena Police Department, summarized as
follows:

On October 10, 2024, Helena Police Officer Josh Graham met with RC at the Helena
Law and Justice Center. Detective Steven Cornish later met with RC and interviewed her as well.

RC was hospitalized July 24, 2023, until August 4, 2023. She was diagnosed with a
severe case of pneumonia with complications. She was transferred to the Intensive Care Unit

1 (ICU) on July 28th after being diagnosed with acute respiratory failure with hypoxia and
2 hypercapnia, as well as aspiration pneumonia. She was moved out of the ICU to the medical
3 floor on July 31, 2023. One of her ICU nurses was Aaron Gams.

4 RC remembered an occasion when Aaron came into her room, started rubbing her back,
5 and reached through her gown and fondled her breasts. At the time, she thought it was a
6 hallucination or dream and did not address it further, noting she was in and out of consciousness
7 during her hospitalization. Hospital records on August 1, 2023, indicate RC “reports being
8 trouble by the hallucination she experienced in the intensive care unit.”

9 On September 26, 2024, RC received a text from the number 406-465-4235. The person
10 began the text with “Hi it’s Aaron from SPH. I hope you’ve been well. I’ve been thinking about
11 you. . .” He goes on claiming he is interested in talking with RC about insurance policies. RC
12 was not a publicly listed insurance agent, only selling to family as needed. RC did not recall who
13 Aaron was and asked if it was from the ICU. As the conversation progressed, RC stated her
14 memory was not great from that time in her life and Aaron offered to help her remember. Aaron
15 tells her “I hope my oblique approach wasn’t too confusing—I wasn’t sure how to reach out,
16 given the dynamic of you being ill, and me as your RN.” RC brought up she thought they had
17 connected on a “more intimate level. Physically and emotionally?” Aaron replied “I’m so glad
18 you remember that, I was hoping you Did! I’m curious if the time/space is right to see if
19 reconnecting is possible?” RC brought up her memory of him touching her breasts and asked
20 him to describe what happened. Aaron replied he had “so many emotions about our connection”
21 and asked to meet in person. He tells RC “I think I’m a little scared right now. I sincerely hope I
22 did not hurt you. I remember a very mutual conversation that was heavy on innuendo” and asked
23 if she could call him. She replies she is in meeting and cannot talk right then, that she thought it
24 was all a dream. She asks him why he is scared. He replies:

I’m concerned how this could potentially impact my professional, legal,
and marital status. I sincerely hope I didn’t cause you ptsd or any trauma
related issues.

Later in the message thread Aaron states:

1
2 I am so sorry, I should have known—I saw you were so anxious
3 and coughing so much. I offered a shoulder rub, and your words
4 made me believe you wanted me to do more. It breaks my heart to
5 know I've done something that you may feel violated. I can't
6 apologize enough. Will/have you filed a legal complaint?

7 After the text conversation RC realized it was not a hallucination, Aaron had in fact
8 sexually assaulted her. She expressed fear he penetrated her but due to her mental state she had
9 no memory of it.

10 RC was significantly ill and incapacitated during her time at St. Peter's ICU. She was
11 unable to consent and did not consent to sexual contact, becoming very upset during her
12 interviews with law enforcement. Based on law enforcement review of the medical records as
13 well as numerous interviews of individuals who visited with RC during her ICU stay, RC was
14 unable to care for herself, experienced hallucinations, and was very disoriented. At times she
15 even confused the names of her children. RC had a physical or mental impairment that
16 substantially limited her ability to provide for her own care or protection

17 Witnesses to her stay at the ICU described her begging them to take her out of the ICU.
18 They indicated she was extremely fearful during her ICU stay. She repeatedly expressed she did
19 not feel safe. One friend recalled getting upset when she noticed Aaron was touching RC without
20 wearing gloves. The same friend recalled Aaron stating he would stay later for her to make sure
21 she was okay.

22 Hospital records indicated Aaron stayed late on July 28th and 30th. They indicated Aaron
23 accessed RC's medical records September 23, 2023, nearly two months after her discharge in
24 direct violation of hospital policy.

Defendant declined requests for an interview.

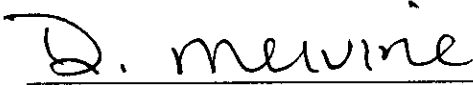
Further Affiant sayeth naught.

1 Dated this 31st day of December 2024

2 

3 MARY BARRY, Deputy County Attorney
4 Lewis and Clark County

5
6 SUBSCRIBED AND SWORN to before me this 31st day of December,
7 2024.

8 

9 NOTARY

10 (SEAL)

