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Denver Post, The (CO)**Dad takes plea deal in 2 kids' overdose****Adult cough syrup blamed in deaths****The Aurora man has "acknowledged" his mistake and will avoid a lengthy term at his Aug. 10 sentencing.**

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Manny Gonzales

Denver Post Staff Writer

Arapahoe County - An Aurora man accused of killing his two children with an overdose of cough syrup avoided a possible lifetime in prison with a plea agreement Thursday.

Robert "Raffie" Henderson, 30, struck a deal with prosecutors and pleaded guilty to second-degree assault and two counts of criminally negligent homicide. The terms of the deal mean Henderson is eligible for probation and the judge cannot mandate more than six years in prison when Henderson is sentenced Aug. 10, defense attorney **Jim Castle** said.

Henderson's trial on charges of child abuse resulting in death and assault was scheduled to begin Monday in 18th Judicial District Court. If convicted, he faced a sentence of 42 to 128 years in prison, **Castle** said.

Chief Deputy District Attorney Robert Chappell said there was never any suspicion that Henderson wanted to kill his children.

"We do believe Mr. Henderson made a serious mistake in judgment," Chappell said.

Castle said it was a good deal.

"He had 128 years hanging over his head, and if you follow homicide cases, six years isn't offered by the prosecution very often," **Castle** said. "Mr. Henderson acknowledged that what he did was wrong - giving a child an adult cough medicine without a doctor's consent is wrong."

In August, 5-year-old Robert "Killian" Henderson and 4-year-old Rhapsody Henderson were found dead in their beds in the 16100 block of East Bethany Place in Aurora.

Arapahoe County Coroner Michael Dobersen testified in preliminary hearings that the children died after a lethal dose of several ingredients in over-the-counter cough syrup.

The plea agreement came after prosecutors and defense attorneys grappled over whether forensic tests proved the children died of an overdose.

Henderson's attorneys said that the reports were sloppy. They claimed an El Paso County forensic toxicologist investigating the case destroyed some of the evidence.

Prosecutors argued that further testing showed the initial results were accurate.

The children's mother, Fay Anderson, has since moved to Georgia and could not be contacted.

Her uncle, Harold Wood of Lakewood, was angry when he heard of the plea deal. He said he had supported Raffie Henderson and believed him to be innocent.

"Now we're back to wondering what killed the kids," Wood said.

"They didn't deserve this ..." he said. "There is a lot of other avenues and a lot of other things they could have gotten into. ... If I were him (Raffie Henderson), I'd rot in prison for the rest of my life until I knew what happened to my kids."

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