

SEARCH WARRANT

1] The residence premises of Clyde Hanson and Alicia Hanson, including curtilage and vehicles parked there on, located at 18189 State Route 339, Waterford, Washington County, Ohio. The premises are further described as a yellow single story residence.

2] The person of Alicia Hanson, dob 02-10-84, ssn 299-86-0678.

Property to be searched for and seized (description):

1) Spiral notebooks 2) Drafts or notes of confession, statements or letters 3) Notes which show the name and or address for attorney Janet McKim 4) Any other documents or records which appear to include notes regarding the death of Felicia Guidry or admissions regarding the murder of Felicia Guidry 5) Letters from Leo Guidry to Alicia Hanson (from the Washington County Jail), including letters written after August 6, 2004 6) Letters or notes from friends or relatives of Leo Guidry written during the summer of 2004 regarding the death of Felicia Guidry 7) Buccal swab samples from the person of Alicia Hanson to permit DNA testing and microscopic analysis 8) Any other evidence of the crimes of conspiracy to commit perjury, perjury, obstruction of justice and tampering of evidence.

affiant, states these facts and circumstances:

Provision of law violation : Conspiracy to commit perjury, ORC 2923.01 and 2921.11; Perjury, ORC 2921.11; Obstruction of Justice, 2921.32; Tampering with evidence, ORC 2921.12.

AFFIDAVIT

Now comes Det. Sgt. Mark A. Warden, Washington County Sheriff's Office, and first being duly sworn, deposes and says that he was the lead investigator into the death of Felicia Guidry which occurred on November 27, 2003, as a result of an injury sustained by her on November 25, 2003. Leo Guidry called an ambulance because Felicia was not breathing and had vomited on November 25, 2003. Felicia Guidry was treated at a local emergency room and then life-flighted to Children's Hospital in Columbus where she died on November 27, 2003.

According to the Pathologist's report from the Franklin County Coroner's Office, the cause of death was a severe injury to the cerebral cortex resulting from a blunt force craniocerebral trauma to the top of the child's head.

On November 25, 2003, at Children's Hospital, Columbus, Ohio, I interviewed Alicia Hanson, the mother of Felicia Guidry. Ms. Hanson told me that approximately three weeks prior to November 25, 2003, she had severely shaken Felicia out of frustration because she was very tired and Felicia would not stop crying. Ms. Hanson further stated that several days later, a similar thing happened. However, on this occasion, Ms. Hanson went to the restroom, that Felicia began crying again. Ms. Hanson told me that when she came back, she punched Felicia in the face in the forehead area with a closed fist. She described the force of the blow as being hard enough as though she were fighting someone.

The Pathologist's report indicated that Felicia had healing fractures, indicating that she had suffered two broken ribs approximately two or two and one-half weeks prior to her death. Subsequently, I discussed Felicia's injuries and Alicia Hanson's statements with Dr. Scribono who treated Felicia at Children's Hospital. Specifically, I told him that Alicia Hanson told me she had punched Felicia in the face/head three week prior to her death. Dr. Scribono said that Felicia's symptoms on November 25, 2003 (the vomiting and the fact she was not breathing) would not have been the result of an injury three weeks earlier. Rather, the results or symptoms caused by the blow to the head would have been seen within minutes of the infliction of the injury. During the autopsy, Forensic Pathologist Collie M. Trant, discovered a severe bruise under Felicia's skin on the top of her head. From this and other medical evidence, it was determined that a blow to the top of her head was what had caused the fatal injury to her cerebral cortex.

I interviewed Leo Guidry on November 26, 2003, December 19, 2003, and December 24, 2003. During these interviews, Leo Guidry offered numerous theories as

to how the child could have sustained the fatal injury. In all of the more than twenty stories, he consistently said that Alicia Hanson was asleep in bed at the time the baby became ill or hurt. None of these stories, however, were consistent with the reports from Children's Hospital or the Pathologist, regarding the injuries to Felicia.

On December 24, Leo Guidry stated that on the night of November 25, 2003, he had been watching a fight movie. He stated the Felicia was lying on the couch on her stomach next to him, and that she cried at an important part of the movie. He stated he was a little mad, and that he struck Felicia , and that it may have been on the top of her head. As a result of this statement, Leo Guidry was arrested and charged with the murder of Felicia.

Leo Guidry was incarcerated in the Washington County Jail pending jury trial on the charge of murder. On May 17, 2004, Leo Guidry asked me to come to the jail to talk with him. He informed me that he was tired of telling lies and of Felicia Hanson being on the street acting like none of this had happened. He told me that Felicia had been lying on the couch as he had previously described. He said that he had gone into the bathroom to defecate. While there, he heard the baby begin crying, and Alicia was yelling at him why the baby was crying. He said that he told Alicia not to worry, that he would take care of the baby. He said that the baby stopped crying. Guidry said that when he was finished in the bathroom, he went back to the living room and smoked a cigarette. He said that he picked the baby up and she vomited on him. He said he noticed no pulse, called the squad and performed CPR. I asked him if there was something else he wanted to tell me, and he said that while he was in the bathroom, he saw Alicia walk into where the baby was. Alicia looked back at him and he closed the

door., leaving it open a crack. Through the crack, he said he saw Alicia grab the baby by the neck, pick her up, and punch her in the head. Guidry told me that he was tired of sitting in jail and asked me if the information would help him.

On May 20, 2004, I interviewed Alicia Hanson. She reiterated that on November 25, 2003, she had been asleep, and that she would have heard Felicia crying. She said she had a hard time believing that Leo Guidry would do something to harm Felicia, but she maintained that she was in bed. She again admitted to having struck the baby two or three weeks earlier, and she had believed that she was responsible for the death (based on these earlier blows). But she said she was asleep on the night of November 25.

Leo Guidry was tried by a jury in a trial, which began July 19, 2004, and ended July 22, 2004. He was found guilty of the murder of Felicia Guidry. Alicia Hanson testified at his trial that she was asleep on November 25, 2003 and felt that it was her fault that Felicia had died because if she had not gone to bed early, she would have heard the baby cry and Leo would not have been alone with the child. She denied making the statement to me at the hospital about the earlier blows to Felicia. Leo Guidry did not testify.

Approximately one week after the trial, I received a voice mail message from Leo Guidry's mother, who told me that Alicia was going to confess, but that she would only talk to Janet McKim, Leo's defense attorney. I heard something similar from James Antill, one of Leo Guidry's friends who lives in Lowell. As a result of this information, I met with Alicia Hanson and her attorney, William J. Adams, and he said that Alicia denied the allegations.

The Washington County Jail has a telephone system, which automatically records all calls made by an inmate. Leo Guidry was involved in an incident in the jail, which appeared to have been an escape attempt. Deputy Phil O'Brien was therefore assigned to listen to calls made by Leo Guidry to determine if his actions may have been an escape scheme involving others outside of the jail. In doing so, Deputy O'Brien heard Guidry talking with Alicia Hanson. Based on what he heard, he informed me that I should listen to the calls.

Beginning with calls made on July 22, 2004, I heard Leo Guidry repeatedly implore Alicia Hanson to admit that she had picked up the baby by the neck and hit her in the head. He said that, if she would do this, then he would be released from jail, and that we could not arrest her because we did not have enough evidence against her. Periodically, throughout these calls, she would tell him she would do this, and then she would back away, stating that she was afraid she would go to jail or that such an admission would interfere with her chances to regain custody of another child who was removed after Felicia died. Guidry also repeatedly asked if she had received his letters.

Based on what I had heard, on August 6, 2004, I interviewed Ms. Hanson at her residence. She said that Leo had put her up to confessing in order for him to get out of jail. Again, she denied any involvement in Felicia's death, saying that she had been asleep. She said she had received letters from Leo, and she voluntarily gave approximately 31 letters to me.

Thereafter, Leo Guidry's attorney filed a motion for new trial. She attached a letter, which purported to be from Alicia Hanson to Attorney McKim, which appeared to be a written confession to murdering Felicia Hanson. Attorney McKim provided me with

the originals of two letters purportedly sent to her by Alicia Hanson, along with the envelopes in which they arrived in her office. The letters were written on paper, which was ripped from a spiral notebook. The envelopes appear to have been sealed using the envelope glue and flap rather than taped shut.

We were also provided a copy of an audiotape, which was given to Attorney McKim by Leo Guidry's mother. The tape contains a conversation between Leo Guidry's mother and Alicia Hanson. By Alicia's own admission in telephone conversations with Leo Guidry and his mother on August 11, 2004, she had mailed a letter to Janet McKim, which said,

Dear Janet McKim

On November 25, 2003, I Alicia Hanson picked Felicia Guidry, my daughter, up by the neck and hit her on the top of the head while Leo Guidry, my fiancé, was in the bathroom. I did not mean to kill her, it was an accident.

Sincerely Yours,
Alicia D. Hanson

During the telephone call from Leo Guidry's mother on August 11, 2004, a recording of which I have, Alicia Hanson said she wrote basically what Leo told them while he was in the bathroom. Upon further inquiry, Alicia can be heard reading a portion of what she had written, including the comma after "fiancé." What Alicia read was not completely identical to the text which was actually received by Janet McKim, which indicates that she had some document to use in preparing the final draft of the letter. The confession language is virtually identical to that suggested by Leo Guidry numerous times throughout the telephone calls.

At the hearing on the Motion for a New Trial held on August 24, 2004, Ms. Hanson denied writing the letter, denied telling Leo's mother that she had written the letter, and denied that she had done the things described in the letter. The hearing was

adjourned to permit the parties to have the handwriting on the letter checked by a handwriting expert.

The State also decided after the hearing to seek to have DNA found on the envelopes compared with Ms. Hanson's and Mr. Guidry's. From my crime scene training and experience, I know that if an individual licks an envelope in order to moisten the glue, they likely leave DNA from their saliva on the envelope flap. Mr. Guidry voluntarily provided a sample of his saliva for comparison and handwriting. Ms. Guidry provided a handwriting exemplar, but refused, upon the advice of her attorney, to provide a saliva sample.

I listened to another recording from the jail telephone, which was generated the day of the Motion for New Trial hearing, after the hearing. In a telephone conversation between Leo Guidry and Ms. Hanson, she told him that she had been told that we would be seeking a DNA sample, and that she would be "screwed." Leo Guidry testified earlier that day at the Motion for New Trial hearing that he had provided Ms. Hanson with the envelopes used to mail the confession letters (one of which was delivered to a wrong address).

From the foregoing, it appears probable that Leo Guidry and Alicia Hanson conspired to commit the offenses of perjury, obstruction of justice, and tampering with evidence. It is probable that Ms. Hanson's residence contain documents such as drafts of the confession letters, additional correspondence from Leo Guidry (other than the letters provided to me on August 6 by Alicia Hanson, including letters received after that date), sample letters, notes, or memoranda concerning the conspiracy.

It is also requested that a warrant be granted for a buccal swab for Alicia Hanson to provide the Washington County Sheriff's Office with a DNA sample for purposes of comparison with samples taken from the envelopes.