

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CROWN POINT, INDIANA

STATE OF INDIANA)
)
 V.)
)
GERALD LYNN SMITH)

CAUSE NUMBER. 45

PROBABLE CAUSE AFFIDAVIT

Affiant swears or affirms that he/she believes and has good cause to believe that:

I, Detective Lieutenant (Lt.) Nicholas T. Wardrip, with the Hobart Police Department and the FBI Gang Response Investigation Team (GRIT) was involved in the ongoing investigation of the murder of Gloria Hansell, who was found dead on or about June 17, 1994, inside her residence at 3966 Buchanan Street in Gary, Lake County, Indiana.

As part of my investigation, I reviewed the reports of officers and investigators from the Gary Police Department and the Lake County Police Department including those of Officer Jarrett Bridgeman, a police officer with the Gary Police Department and Sergeant (Sgt.) John Pruzin, an officer with the Lake County Police Department, and both of who I believe to be truthful and credible because they spoke of facts within their own personal knowledge and they were acting in the course of their professional capacity as law enforcement officers..

On June 17, 1994, at approximately 1:25PM, Gary Police officers were dispatched to 3966 Buchanan Street for a female down inside a residence. Upon arrival, Officer Bridgeman reported he met with the victim's daughter, Cary Hansell Ferry, who reported she came over and found her mother, Gloria Hansell, dead on the floor. Gloria was 69 years old at the time of her death and reported to have health problems including the need to be on an oxygen monitor. Officer Bridgeman reported the death was originally treated as a natural death; however, upon the arrival of the funeral home employees, it was discovered Gloria had an electrical cord tightly wrapped around her neck.

Sgt. Pruzin of the Lake County Police Crime Scene Unit responded and reported there were no signs of forced entry to the residence. Sgt. Pruzin reported the victim was found face down on the living room floor. Sgt. Pruzin reported the victim was wearing a nightgown and had fecal matter between her legs. Sgt. Pruzin reported there was an electrical cord around the victim's neck which led to a square shaped fan. Sgt. Pruzin reported there was a plastic hose which led to the victim from an oxygen concentrator in the dining room. Sgt. Pruzin reported the remainder of the house appeared in order. Sgt. Pruzin reported upon removal the victim's body, a pair of women's panties was found underneath her.

I also reviewed reports of a pathologist, Dr. Young M. Kim, MD, who I believe to be truthful and credible because he spoke of facts within his own personal knowledge.

Gloria's death was subsequently ruled a homicide by the Lake County Coroner's Office and Pathologist Young M. Kim, MD, reported her cause of death was asphyxia due to strangulation.

Also as part of my investigation, I reviewed the Lake County Police CSI Property Inventory which listed three (3) evidence items collected on June 17, 1994, as photographic negatives taken during the course of the investigation (Item 1), one (1) pair of white in color ladies panties, size 9, noted to be stained recovered from the living room floor under the victim (Item 2), and one (1) latent print developed and recovered from a Dr. Pepper can by the rear door (Item 3).

From further review of the Lake County Police CSI case file, I observed a request for examination form from 1994 in which Gary Police requested a fingerprint exam of the latent print found on the Dr. Pepper can along with a latent print found on a credit card found during the course of the investigation said belong to the victim or her late husband. The victim's purse had been found in the backseat of a Hammond Police car in July 1994. The form requested fingerprint comparison to two (2) suspects: Gerald Lynn Smith (DOB December 5, 1961) and Jeffrey Cummings (DOB September 30, 1959). A subsequent fingerprint examination report reported negative results for either suspect.

On August 11, 2020, at approximately 1:15PM, I picked up Items 2, 4, 5, and 6 from the Lake County Police Crime Laboratory from Detective Anthony Rendina for transport to the Indiana State Police Lowell Laboratory.

I next reviewed a certificate of analysis report completed by Forensic Scientist Sharon Pollock, who I believe to be truthful and credible because she spoke of facts within her own personal knowledge and she was acting within the scope of her profession, of the Indiana State Police Laboratory in Lowell, Indiana, dated October 28, 2020. In particular, the report listed a partial DNA profile (sperm fraction) obtained from laboratory item 002E (vaginal/cervical swab prepared from the Indiana State Police Sexual Assault Kit collected at autopsy) was interpreted as originating from a single individual. Pollock reported the partial DNA profile (non-sperm fraction) was interpreted as a mixture of two (2) individuals. Pollock reported assuming Gloria Hansell and the corresponding sperm cell fraction as contributors, no additional alleles were detected.

Pollock reported a portion of the DNA profile obtained from item 002E was subsequently entered into the Combined DNA Index System (CODIS).

Pollock further reported a DNA profile obtained from laboratory item 003A1 (ligature collected at autopsy) was interpreted as a mixture of three (3) individuals. Pollock reported the DNA profile is 30 million times more likely if it originated from Gloria Hansell and two (2) unknown individuals than if it originated from three (3) unknown, unrelated individuals.

Pollock reported the DNA profile obtained from item 003A1 was subsequently entered into the Combined DNA Index System (CODIS).

Pollock reported the DNA profile obtained from 002E and 003A1 were not from the same individual.

On November 24, 2020, I reviewed a CODIS memo completed by Sharon Pollock of the Indiana State Police Lowell Laboratory indicating a CODIS match. Pollock reported a search of CODIS resulted in a computer match between a convicted California offender sample and the DNA profile obtained from the sperm cell fraction in the vaginal/cervical swab (item 002E).

The convicted offender was identified as Gerald Lynn Smith; SID/CII: A10536716, FBI No: 229953LA2.

I discovered this was the same Gerald Lynn Smith (DOB December 5, 1961) listed in the Lake County Police CSI case file as a suspect in 1994.

At the time of this report, there have been no CODIS matches regarding the DNA profile obtained from item 003A1 (ligature).

During the course of my investigation, I conducted database searches of Gerald Smith and discovered potential addresses in California and Kentucky. On December 3, 2020, I requested assistance from Detective Joseph Stratton of the Hopkins County, Kentucky Sheriff's Department to help locate Smith so investigators could obtain an evidentiary standard of Smith's DNA for further analysis.

Detective Stratton checked local databases, addresses, and was eventually able to determine Smith was currently residing at the Madisonville Health and Rehabilitation Center in Madisonville, Kentucky.

On December 1, 2020, I spoke with Cary Hansell Ferry by telephone. Cary is Gloria Hansell's daughter. I believe Cary Hansell Ferry to be truthful and credible as she spoke of matters within her own personal knowledge.

In summary and not verbatim, Cary described the last time she saw her mother alive. Cary stated she had been visiting her mother in the afternoon and she gave Cary some money to take her children to the beach. Cary stated her mother was walking into her bedroom to get some clean clothes as she was leaving. Cary stated when she left she left the front door open, but the screen door was closed. Cary stated her mother's house would get muggy. Cary stated her mother was on an oxygen machine.

Cary stated the next morning she called her mother about a recipe, but she did not answer. Cary stated she subsequently went over to her mother's house to check on her. Cary stated upon entering, she found her mother dead on the floor. Cary at first stated she did not think her mother was murdered and thought she had a heart attack. Cary stated the police arrived along with the funeral directors. Cary stated a cord was found around her neck from the fan. Cary stated she did not notice the cord when she first found her.

Cary stated she noticed the couch was moved and a lamp and end table were knocked over. Cary stated her mother kept her purse behind the couch. Cary said "6 weeks later" she received a call her mother's purse had been found in the backseat of a Hammond police car. Cary stated she subsequently went to the Gary Police Department and picked up the purse. Cary stated the only thing missing from the purse was a small amount of United States Currency (USC); maybe \$25.00 or \$30.00. Cary stated her bank cards and ring were still there.

Cary stated her mother lived alone and her father had died approximately two (2) years earlier. Cary stated due to a medical complication from years earlier her mother was on oxygen. Cary stated after her father died, her mother did not leave the house much. Cary stated her mother quit smoking and gained approximately 150 pounds. Cary stated her sister, Renee, was in and out and lived several places including Tennessee. Cary stated her mother had a visiting nurse, who she believed to be a female, who had just started the week before her murder. Cary subsequently said she believed the nurse only came one (1) or two (2) times prior to her mother's murder.

Cary stated her mother did not have a boyfriend at the time of her murder. Cary stated the only man she ever knew her mother to be with was her father. Cary stated she had only ever saw her mother drink alcohol maybe three (3) times in Cary's life. Cary stated all of her mother's medication (pain pills and Xanax) was still in the residence after her murder.

Cary stated when she found her mother dead the door was closed, but there was no forced entry. Cary stated her mother's purse was the only thing the police said was missing; however, she said she was made to wait outside after she found her mother's body.

Cary was asked who the other suspects were at the time. Cary stated one of them was a man named Gerald Smith. Cary stated her sister dated Gerald when they were approximately 13 or 14 years old. Cary stated his family moved around a lot. Cary stated Gerald ended up dating this female she identified as Connie Manes (Manes is her name presently on Facebook). Cary stated Gerald got Connie pregnant and subsequently moved to California with his older brother. Cary stated Gerald came back to Gary after approximately five (5) years and came over to her mother's house. Cary stated she was there when Gerald showed up looking for her sister. Cary stated while Gerald was there, he wanted to say hello to her mother. Cary stated Gerald came back another time and asked her mother if he could cut her grass for some money. Cary stated her mother said she told Gerald she did not have any money right now. Cary stated her mother told her Gerald at some point, leaned over the back of her chair and had put his arms around her neck or his face by her neck while she sat in her rocking chair. Cary stated her mother told her about this and said she [Cary] needed to do something about him. Cary stated she told her mother not to answer the door when he came over. Cary stated her mother did not want any man touching her.

Cary was asked for a timeline of Gerald coming over to her mother's house. Cary stated he first showed up a couple of weeks before her mother's murder and she was there. Cary stated she believed he showed up driving a truck.

Cary stated he came back a second time when she wasn't there and her mother must have let him in. Cary stated this was the time he tried to kiss her neck or put his arms around her while her mother sat in the chair. Cary stated her mother told her about this just several days before her murder.

Cary stated she was unaware if Gerald was on drugs at the time he visited her mother. Cary described Gerald as a "little bit too smiley." Cary stated Gerald had long hair and described him as a little strange.

On December 10, 2020, I met with and interviewed Geisen Funeral Director Ronald Mesarch. I believe that Ronald Mesarch was truthful and credible as he spoke of matters within his own personal knowledge and he was acting in the scope of his profession.

In summary and not verbatim, Ronald confirmed he was employed with Geisen Funeral Home on June 17, 1994, and did respond to 3966 Buchanan Street for a removal. Ronald stated upon his arrival, he and his partner, Terry Coady, met with a Gary Police officer who was standing by outside the residence. Ronald stated he and Terry entered the residence and observed the victim on the floor. Ronald stated he remembered there was a foul odor consistent with death and decomposition inside the residence. Ronald stated as he Terry went to lift the victim, they discovered she had an electrical cord which led to a fan wrapped around her neck. Ronald stated upon finding this, they exited the residence and notified the police officer outside.

Ronald stated he did not remember if he was wearing gloves at the time of the removal. Ronald stated he did not believe he touched the cord around the victim's neck.

Ronald provided a DNA sample by way of a buccal swab to compare to the DNA profiles located on the cord.

The buccal swab was packaged and secured at the Hobart Police Department pending transfer to the Indiana State Police Lowell Laboratory.

On December 16, 2020, Detective Joseph Stratton of the Hopkins County, Kentucky Sheriff's Department obtained a search warrant to collect a DNA profile from Gerald Lynn Smith through the use of a buccal swab from Hopkins County District Court in Madisonville, Hopkins County, Kentucky, signed by Judge David Massamore.

Continuing on December 16, 2020, Detective Stratton, Detective Corporal (Cpl.) Justin Clark and I interviewed Gerald Lynn Smith inside his recovery room at Madisonville Health and Rehabilitation located at 419 North Seminary Street in Madisonville, Kentucky, where he has been recovering from a health condition. I do not believe that Gerald Smith was entirely truthful and credible.

In summary and not verbatim, Gerald was in a bed hooked to an oxygen machine. Gerald stated he takes medication, but did not know what kind. When asked what the date was, Gerald stated he did not know the specific date. Gerald stated it was December 2021, but then corrected himself and said it was December 2020. Gerald also was able to recite his birthday.

Gerald stated he was born in White Plains, Kentucky, but at some point moved to Gary as a child. Gerald did not remember his address in Gary. Gerald stated he went to Lew Wallace High School and at some point moved to California, but did not remember when.

I informed Gerald we were reinvestigating a case in which his name had come up before in, but did not tell him what the specific case was.

Gerald was asked if he ever dated Renee Hansell. Gerald first stated no, but then said he may have dated her in high school.

Gerald was asked if he knew Renee's mother, Gloria, and first stated no. Gerald then stated he knew Renee's whole family; however, said he did not remember where they lived.

Gerald stated he has a lack of memory due to being in comas several times over the last three (3) years.

Gerald then stated he wanted a lawyer present and ended the interview.

Detective Stratton read Gerald the search warrant and at approximately 3:50PM, I collected a DNA sample by way of a buccal swab from Gerald.

The buccal swab was packaged and secured at the Hobart Police Department pending transfer to the Indiana State Police Lowell Laboratory.

On December 17, 2020, I met with and interviewed former Geisen Funeral Director Terrence "Terry" Coady. I believe that Terrence Coady is truthful and credible as he spoke of matters within his own personal knowledge and he was acting within the scope of his profession,

In summary and not verbatim, Terry confirmed he was employed with Geisen Funeral Home on June 17, 1994, and did respond to 3966 Buchanan Street for a removal. Terry stated upon his arrival, he and his partner, Ronald Mesarch, met with a Gary Police officer who was standing by outside the residence. Terry stated he and Ronald entered the residence and observed the victim on the floor laying face down. Terry stated he could not remember if they had to move any furniture to get to the victim. Terry stated as they started to roll the victim over an electrical cord was discovered wrapped around her neck. Terry stated this cord led to a nearby box fan. Terry stated upon finding this, they exited the residence and notified the police officer outside.

Terry stated he did not remember if he was wearing gloves at the time of the removal, but said he likely was not. Terry stated he could not remember if he touched the cord around the victim's neck, but said he may have. Terry provided a DNA sample by way of a buccal swab to compare to the DNA profiles located on the cord.

The buccal swab was packaged and secured at the Hobart Police Department pending transfer to the Indiana State Police Lowell Laboratory.

On December 22, 2020, at approximately 10:01AM, I transferred custody of sealed buccal swabs of Smith, Cummings, Williams, Mesarch and Coady to the Indiana State Police Laboratory at the Lowell Post for analysis. All five (5) items were the buccal swabs recently collected as part of the investigation.

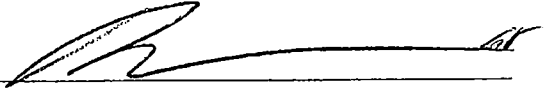
On January 27, 2021, Forensic Scientist Sharon Pollock reported the partial DNA profile found in the sperm cell fraction of Laboratory Item 002E was interpreted as a originating from a single individual and that the DNA profile was at least 110 billion times more likely if it originated from Gerald Smith than if it originated from an unknown, unrelated individual.

Pollock reported the partial DNA profile found in the non-sperm cell fraction of Laboratory Item 002E was

interpreted as a mixture of two (2) individuals and that the DNA profile was at least 5.7 million times more likely if it originated from Gloria Hansell and Gerald Smith than if it originated from Gloria Hansell and an unknown, unrelated individual.

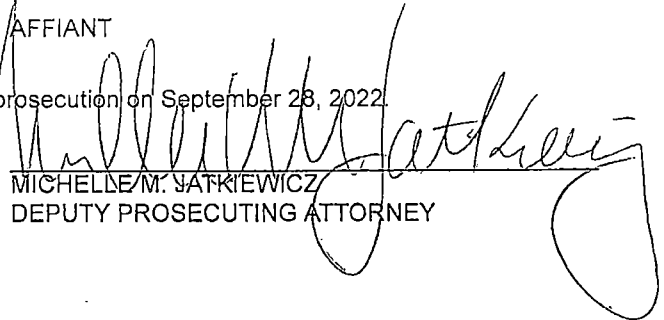
Pollock reported the DNA profile from around the knot of Laboratory Item 003A1 was interpreted as a mixture of three (3) individuals and that the DNA profile was 30 million times more likely if it originated from Gloria Hansell and two unknown individuals than if it originated from three unknown, unrelated individuals.

I swear, under the penalty for perjury as specified by I.C. 35-44.1-2-1, that the foregoing is true to the best of my information and belief.



DET. LT. NICHOLAS WARDRIP
AFFIANT

Subscribed and sworn to before me and approved for prosecution on September 28, 2022.



MICHELLE M. JATKIEWICZ
DEPUTY PROSECUTING ATTORNEY