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9 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO**

10 **CRIMINAL DIVISION**

11 PEOPLE OF THE STATE OF
12 CALIFORNIA

Case No. F049017856

13
14 Plaintiffs,

DECLARATION OF DETENTION
BUREAU CAPTAIN MICHAEL
LEONARDO

15 v.

16 MARCUS WESSON,

17 Defendant.

18
19 I, Michael Leonardo, declare:

20 1. I am employed as a Captain in the Fresno County Sheriff's Department
21 Detention Bureau.

22
23 2. Defendant Marcus Wesson is being held without bail and in isolation on
24 charges of murdering nine (9) of his children.

25 3. Attached hereto as Exhibit 1 and expressly incorporated herein by reference
26 is a true and correct copy of a March 14, 2004 e-mail and accompanying jail report form
27 directed to myself and other Detention Bureau personnel regarding Marcus Wesson.
28

1 4. According to Exhibit 1, on March 14th, 2004, a person requesting
2 confidentiality telephoned inmate information and expressed concern for the safety of
3 her daughter. The person suggested Marcus Wesson should not be allowed family
4 visits in jail because family members were going to visit him in jail for the purpose of
5 getting permission to commit suicide. The person remarked, "This could turn out like
6 the Jones family massacre," and she indicated she did not want the Wesson family to
7 know that she called. Because of the person's request for confidentiality, her name and
8 telephone number have been blacked out on Exhibit 1.

10 5. Subsequent to receiving Exhibit 1, I spoke by telephone with Fresno Police
11 Department Doug Reese, one of the principal investigators in the criminal case against
12 Wesson. Detective Reese indicated he believed the suicide threat to be credible.

14 6. As a result of the above events, I have placed the following restrictions on
15 Wesson:

17 a) Visitation and telephone access are limited to Wesson contacting an
18 attorney and/or attorney staff. Wesson is under 24-hour daily observation, and he can
19 request the observing officer to wheel up a telephone to his cell at any time. The officer
20 will dial the call to Wesson's attorney. Obviously these calls will not be monitored.

22 b) Except for legal mail, all of Wesson's outgoing and incoming mail is
23 opened and read to protect against communications threatening the well-being of any
24 persons.

25 7. I and other Detention Bureau personnel desire to keep the above restrictions
26 in place until April 16th, 2004. At that time, we will seek the Fresno Police Department
27 Personnel's opinion on the stability of Wesson's family and other relevant
28

1 circumstances. Absent any substantive concern, the above restrictions or some portion
2 may then be lifted or modified.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed this 25th day of March, 2004, at Fresno, California.
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7 
8 MICHAEL LEONARDO

Leonardo, Michael

From: Mendez, Elias
 Sent: Sunday, March 14, 2004 6:38 PM
 To: Leonardo, Michael; Leonardo, Susan; Leon, Joe M.; Wiley, Ronald D.; Flores, Jose
 (Captain); Weldon, Marilyn; Peters, Kevin; Johnson, Gary; Kurtze, David; Mendez, Elias
 Subject: Visitation restrictions for inmate Marcus Wesson

On 03/14/04 the inmate information officer received information from a [REDACTED] pertaining to inmate Marcus Wesson JID # T-213778. The caller was concerned for the safety of her daughter and that the jail should not allow the family members to visit. Caller [REDACTED] indicated that the family members were going to visit inmate Wesson for the purpose of getting permission to commit suicide. Capt's Leonardo and Flores were notified. FPD Detective Ochoa (cell # 250-8397) and Detective Reese (Cell # 696-2757) were notified of the information due to the case. Detective Ochoa also indicated that she had just received the information from a female caller and were concern for the safety. Visitations for inmate Wesson have been restricted to Attorney until further notice. Wesson phone privileges were not restricted until communication with County Counsel.
 In the process of informing the AJ Attorney Lobby of the visiting restrictions, three females listed on Wesson's visiting list were in the process of requesting to visit and were denied the visit due to not having proper ID. See Report # 04-3625.

Sgt. Henley

*** JAIL REPORT FORM - INITIAL ***
 RPT-NO 0403625 FACILITY _____ DATE 031404 TIME 1423 OPER 1395
 STATUS CLOS INMATE Y 1021 DATE-OCC 031404 TIME-OCC 1405
 DR _____ VIOLATION _____ FAC AJ FLR 01 CELL F001
 JID T00213778 NAM WESSON,MARCUS _____ MNI 1580282
 BKG-NO 0407556 BK-NAM WESSON,MARCUS _____
 *** GIVEN TO INMATE ***
 INM-DATE _____ INM-TIME _____

SYNOPSIS:

PUBLIC PHONE CALL.

NARRATIVE:

ON THE ABOVE DATE AND TIME I RECEIVED A PHONE CALL FROM A PERSON _____
 WHO IDENTIFIED HERSELF AS [REDACTED] MS. [REDACTED] TOLD ME THAT _____
 THE JAIL SHOULD NOT ALLOW FAMILY MEMBERS TO VISIT. I ASKED WHY.
 SHE TOLD ME THAT [REDACTED] AND OTHER FAMILY MEMBERS WERE GOING
 TO VISIT, AND ASK PERMISSION TO COMMIT SUICIDE. I ASKED MS. [REDACTED] HOW
 SHE KNEW THIS. SHE TOLD ME THAT SHE HAD FAMILY THAT KNEW THE WESSON
 FAMILY. I ASKED MS. [REDACTED] IF SHE HAD CONTACTED FRESNO POLICE DEPT.
 ABOUT WHAT SHE KNEW. SHE TOLD ME THAT SHE HAD CALLED FRESNO POLICE _____

CONT Y RPT-OFF JACOBY,JEFFREY _____ RPT-OPER 1395 NOTIFY O
 CONTROL 15890314041541 RECNO 195889
 RPT-NO 0403625 STATUS CLOS TYPE IINC CODE 1021 DATE 031404 TIME 1423
 JID T00213778 NAM WESSON,MARCUS _____ FAC AJ FLR 01 CELL F0
 BKG-NO 0407556 BK-NAM WESSON,MARCUS _____ DR _____

CONTINUATION: AT 0900 HRS. AND AT 1400 HRS. SHE TOLD ME THAT SHE HAD
 LEFT HER PHONE NUMBER WITH THE FRESNO PD, BUT THAT NO ONE HAD CALLED
 HER BACK. SHE ALSO TOLD ME THAT FRESNO POLICE GAVE HER THE PHONE
 NUMBER OF 488-3031, AND WAS TOLD THAT SHE SHOULD CALL THE JAIL.
 I ASKED MS. [REDACTED] FOR HER PHONE NUMBER AND TOLD HER THAT I WOULD TRY
 AND NOTIFY THEM FOR HER. SHE GAVE ME THE NUMBER OF [REDACTED]
 SHE ALSO TOLD ME THAT SHE WAS SCARED AND DIDN'T WANT THE WESSON FAMILY
 TO KNOW THAT SHE CALLED. SHE ALSO TOLD ME THAT THIS COULD TURN OUT
 LIKE THE JONES FAMILY MASSACRE.
 SGT. HENLEY WAS NOTIFIED AND REQUESTED A REPORT TO BE WRITTEN.

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1 **PROOF OF SERVICE**

2 **PEOPLE V. MARCUS WESSON**
3 **Fresno County Superior Court No. F049017856**

4 I, URSULA BUFE, declare as follows:

5 I am a resident of the State of California, over the age of eighteen years, and
6 not a party to the within action. I am employed at the Fresno County Counsel's Office,
2220 Tulare Street, Fifth Floor, Fresno, California, 93721.

7 On March 25, 2004, I served a copy(ies) of the within

8 **Declaration of Detention Bureau Captain Michael Leonardo**

9 on the interested party(ies) in said action addressed as follows:

10 **PETER JONES** Counsel for Defendant
11 **FRESNO COUNTY PUBLIC DEFENDER**
12 **2220 TULARE STREET, 4TH FLOOR**
FRESNO, CA 93721 Personal Delivery

13 **LISA GAMOIAN** Prosecutor
14 **CHIEF DEPUTY DISTRICT ATTORNEY**
15 **2220 TULARE STREET, 10TH FLOOR**
FRESNO, CA 93721 Personal Delivery

16 **Courtesy Copy:**

17 **HONORABLE COMMISSIONER BRANT BRAMER**
18 **FRESNO COUNTY SUPERIOR COURT**
19 **DEPARTMENT 96**
FRESNO, CA 93721 Personal Delivery

- 20 ☐ by placing the document(s) listed above for mailing in the United States mail at
21 Fresno, California, in accordance with my employer's ordinary practice for
collection and processing of mail, and addressed as set forth above.
- 22 ☐ by transmitting via facsimile the above listed document(s) to the fax number(s)
23 set forth above on this date before 5:00 p.m. pacific standard time.
- 24 ☒ by personally delivering the document(s) listed above to the person(s) at the
address(es) set forth above.
- 25 ☐ by placing the document(s) listed above in a sealed envelope, and placing the
26 same for overnight delivery by Federal Express at Fresno, California.
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 25, 2004, at Fresno, California.



URSULA BUFO