

State of New Hampshire
Hillsborough County **9th Circuit-District Division-Manchester**

Supporting Affidavit for Request to Issue Arrest Warrant

MPD Case # 18-5282

1. I, Detective Nicholas Georgoulis, being duly sworn, depose and say;

I am a Police Detective. I herewith make application for the issuance of an Arrest Warrant against the defendant(s): **KENYOUN GIFFORD (10/05/82) of 124 HAVERHILL RD SALEM, NH 03079**

2. I have information that a crime (or offense) has been committed by the defendant(s) as follows:

RSA 641:4 FALSE REPORT TO LAW ENFORCEMENT
RSA 649-A:3 MANUFACTURE/POSSESSION OF CHILD SEXUAL ABUSE IMAGES
RSA 635:1 BURGLARY
RSA 634:2 CRIMINAL MISCHIEF
(SUSPECT KNOWS WHERE THE VICTIM RESIDES)

There is probable cause to believe that Kenyoun Gifford (DOB 10/05/82) committed the crimes of False Report to Law Enforcement, Manufacture/Possession of Child Sexual Abuse Images, Burglary, and Criminal Mischief. The following information in this affidavit will show that Kenyoun Gifford made several false reports from numerous phone numbers to law enforcement and DCYF in an attempt to get the police to search the residence of Brian Johnson and ultimately locate child sexual abuse images. It will show that child sexual abuse images were in fact printed out onto photo paper and subsequently planted throughout Brian Johnson's apartment to frame him. It will also show that Kenyoun broke into Brian's apartment in order to plant said images. Furthermore, it will show that Kenyoun damaged the property of Brian by spray painting his door.

On 03/17/18 at 0900 hours Officer Jacob Yaris took a report from a woman who identified herself as Sophia Reynolds (no DOB given). She stated she has been talking to a male party for a week on a dating website called "Plenty of Fish". She identified him as BRIAN JOHNSON, and said he was 26 to 27 years old and lived at 64 Winter St #3 in Manchester.

Sophia stated that she stayed with Brian on 03/15/18. While she was staying with Brian she located actual photographs of females she guessed to be no more than 12-13 years old doing sexual acts. She said the photographs were located in his couch in his apartment. She stated she confronted Brian about the photos and he said, 'Why would you like to buy them?' Sophia was disgusted and walked out. Sophia then hung up without giving more information. She was unable to be reached after that.

On 03/21/18 I, Detective Nicholas Georgoulis, was made aware of two anonymous CrimeLine tips regarding this incident. They both alleged that Brian Johnson had child sexual abuse images in his home as well. One report was from a male that stated he saw the photographs in Brian's apartment and Brian tried selling them to him. The second call was in reference to neighbors of Brian's talking about him being the neighborhood 'pot' dealer, a child molester, and was possibly peddling child pornography.

On 03/21/18 I received a DCYF Law Enforcement Letter with additional information regarding this case. The letter is in regards to a caller who did not identify himself but had a listed phone number. The call came in on 03/19/18 at 1345 hrs. The male caller started the call by saying he had already called the police and said he was calling about the local pot dealer who is now selling child porn. The caller identified the person as Brian Johnson.

I made numerous attempts to call the two phone numbers I had (Sophia Reynolds and the anonymous male who called DCYF). I was never able to reach anyone nor did either of them ever call me back.

I also went and spoke with several of Brian's neighbors. None of them were able to confirm that Brian sold marijuana or that they knew anything about him being in possession of child pornography.

On 04/12/18 at 0318 hrs Officer Amanda Smith reported that a CrimeLine tip came in from an anonymous male subject stating that police would find a bleeding pedophile on the floor of 64 Winter St. #3 and depending on what time the police arrived we would find a dead pedophile on the floor. In looking through our database, Brian Johnson 09/01/90 was determined to be the resident of this address.

Officer Smith went to the address and observed spray paint on the door to apartment 3. It appeared to be fresh due to the tackiness and the fresh smell. It stated, "PEDO". After several knocking attempts she was unable to make contact. Also, the two vehicles that were registered to Brian were parked outside of the residence.

Due to the circumstances and nature of the call, at approximately 0346 hrs, the apartment door (which was dead bolted) was breached for a wellbeing check. Officers gained entry, cleared the apartment and no one was located.

During the preliminary search officers located five photos that appeared to be child sexual abuse images located in Brian's bedroom in plain view on a nightstand next to the bed. They also located a single photo that appeared to be a child sexual abuse image in the open bottom drawer of the dresser located in Brian's bedroom. The officers noted that the images contained what were obviously juvenile females nude and engaged in various sexual activities, to include a juvenile female being bound and gagged while nude, having a phallic sex toy inserted in a juvenile female's vagina, and a juvenile female touching what appeared to be an adult man's erect penis.

Brian Johnson was called by dispatch and ended up coming to the station. At approximately 0530 hrs, Officer Smith spoke with Brian. She informed him of the mischief to his door and he seemed surprised. He stated he felt his current girlfriend's ex-boyfriend might be responsible. He identified his girlfriend as Amy Butland and her ex as 'Ken' LNU. She also informed him of the open investigation with him regarding child pornography and he became immediately upset and confrontational.

At approximately 0759 hrs, Detective Brian Attardo and I conducted a voluntary interview with Brian Johnson. During the interview, we informed Brian that child sexual abuse images were found in his bedroom. Brian appeared surprised and adamantly denied they belonged to him.

Brian also stated, however, that he had previously found other child sexual abuse images under his couch in the beginning of April after his brother had been staying over. He then began to

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insinuate that the images likely belonged to his brother. He stated he immediately threw them out. He said there were approximately five photographs scattered under the couch cushion but he only looked at one. He said he knew it was an underage female and said she had a penis being inserted into her vagina.

Brian then added that sometime last week, Amy confronted him and said that 'Ken' (her ex-boyfriend) told her that Brian had child pornography under his mattress. She further stated that she had actually seen the images for herself. Brian stated he did not know who put them there but again said they were not his. He stated he drove over to his house with Amy after this conversation and had her go into his apartment, retrieve the photos, and then throw them out.

He continued to deny that the child sexual abuse images belonged to him. He stated they either belonged to his brother or were planted there by 'Ken'. During our interview, Brian stated that there should not be any other child pornography anywhere in his apartment.

Brian stated that 'Ken' has created fake accounts on the dating site 'Plenty of Fish' to pose as different females and try to get Brian to talk to him. He said 'Ken' has taken pictures of his truck while it was parked outside of Amy's house and has then sent the photo to Brian. He said 'Ken' has also sent him text messages from different phone numbers pretending to be a drunk female. He said he felt 'Ken' was trying to get information out of him or to prove that he was being unfaithful to Amy so 'Ken' could then relay that to Amy.

Brian stated sometime last week 'Ken' told him via text message that he was outside of Brian's address and tried to get him to come outside. He said 'Ken' also threatened to slash his car tires. Brian said he did not end up going outside. Brian allowed me to read through the text messages. In skimming through them, I noted that 'Ken' was talking with Brian about how Amy is 'playing' with both of them and is having sex with both of them. Brian also confronted him about spray painting his door, which 'Ken' denied and said he was with his 'girl' all night. Their text message conversation was lengthy and only contained one of the numbers that Brian said 'Ken' had used with him.

After interviewing Brian, we seized his phone and entered it into evidence.

At approximately 0948 hrs we spoke to Amy Butland 01/09/88. During the interview, Amy admitted that her ex-boyfriend, Kenyoun Gifford (herein referred to as Kenyoun), told her that Brian had child pornography under his mattress. She said she looked sometime last week and confirmed that there were child sexual abuse images under Brian's mattress. She estimated there were ten photos that were all lined up next to each other. She said the photos depicted young girls doing various sexual acts, to include licking a man's penis.

Amy stated she confronted Brian about the images approximately two days later. She said he denied there being photos but then she told him she already saw them. She stated he then had her drive with him to his house and had her remove the photos and throw them in the trash outside.

Amy confirmed that Brian also told her that he had found child pornography under his couch prior to her finding some under his mattress. She stated at the time he felt it must have been his brother.

Amy also confirmed that Kenyoun has been creating trouble for her and Brian ever since she broke up with him to start dating Brian. She said she asked Kenyoun via text message this morning if he was responsible for the graffiti and he said no. She also stated that Kenyoun has

been changing his phone numbers by using an 'app' and has been talking about how he knows where Brian lives, what he drives, where he works, and other personal information.

Furthermore, Amy stated that Kenyoun is very intelligent, claims to be in a gang, and knows how to pick locks. She later told me that he also used to have black spray paint in his home.

Brian Johnson's apartment was searched on 04/12/18 after we obtained a search warrant. During the search, dozens of child sexual abuse images were located in several different areas of the home. Many of the photos appeared to have been put on display while others were hidden in a drawer or in a DVD case. All of the images were printed out on Hewlett Packard photo paper. The photos appeared to be printed from a home printer due to the type of photo paper and the explicit and illegal content of the photos. If they were to be printed out at a retail location an employee would likely see them and alert the police.

No printer was located in Brian's apartment. There was also no photo paper, printer ink, or any other printing supplies in his apartment.

The only electronic devices that could hold media that were in his home were a PlayStation 4 video game console, a thumb drive, and an old cell phone. These items were all later forensically processed and no child sexual abuse images were located in them.

Brian later advised me that none of the photos that were located in his apartment belonged to him. He added that they were not there previously and that they were obviously planted.

On 04/12/18 at 1355 hrs Detective Attardo called Kenyoun, who we identified as Kenyoun Gifford 10/05/82 to see if he would be willing to come in for an interview regarding this incident. Kenyoun answered and asked if this had to do with Amy's "pot dealing boyfriend". Detective Attardo asked Kenyoun if he would come in for an interview. Kenyoun replied by saying he was done with the "drama" and declined to come in.

On 04/17/18 at 0010 hrs officers responded to a call for a burglary in progress at Amy Butland's residence in Manchester after she called saying someone was trying to break into her home. Upon officers' arrival, they located Kenyoun Gifford exiting the building. Kenyoun had two knives on him as well as a small flashlight and screwdriver bits. He was unable to provide any explanation as to why he was there. He was criminally trespassed from the residence but was not arrested. Kenyoun also confirmed to the officers that his address was 124 Haverhill Rd in Salem, NH.

On 04/19/18 at 1015 hrs I spoke Jacob Bernstein 12/14/93, who lives across the street from Brian Johnson. He stated that approximately one week ago he was outside of his apartment for about fifteen minutes. He stated it was late at night and estimated it was after 0200 hrs and before 0600 hrs. He stated he saw at least one person inside of the building across the street and he pointed to 64 Winter St. He said the person was using a flashlight and appeared to be looking around. He said he saw this movement in the top floor, middle right window. He pointed the window out and I confirmed it was the window belonging to 64 Winter St #3.

Between 04/18/18 and 04/23/18 Detective Justin Mangum processed all of the child sexual abuse images that were retrieved from 64 Winter St. There were no fingerprints on either the back or front of any of the photos.

A search warrant was obtained for Brian Johnson's cell phone. The phone data was extracted and I subsequently reviewed the information and noted the following:

On 01/21/18 at 2018 hrs, which was approximately one to two weeks after Brian and Amy started their romantic relationship, Brian received a text message from 978-473-6880 stating, "Hey". It should be noted that this phone number was later confirmed to belong to Kenyoun. Brian responded by saying "Who this". The conversation continued with the unknown person, who was purporting to be a female, stating that she was a little drunk. She stated that she knew his name was Brian, that he lived in "manchvegas", and that he had a son. She then sent him a photo of a female exposing her breasts. Brian continuously tried to get the person to identify themselves but the person would not do so.

Simultaneously, Brian received a text message and started a conversation with 978-393-8734. This person was purporting to be a drunk female and was requesting that Brian come pick her up and she would make it worth his while.

In the meantime, the '6880' number stated, "Dude I don't know who you are but some drunk chick grabbed my phone at a party. Then went to be sick...And take nudes". This person then identified himself as "Kenny".

'Kenny' was continuously talking to Brian about the purported female who took his cell phone. He advised Brian that the female was very drunk and was trying to get him (Brian) to pick her up. 'Kenny' seemed to be trying hard to keep a conversation going with Brian. It also appeared that 'Kenny' was trying to get Brian to say that he wanted to do something sexual with the female who was sending him text messages.

On 01/30/18 the '8734' person stated, "Does amy mean anything to him? Or is she just a herpes infected picea ass/mistake? Cause despite us breaking up and e everything she is a really Good catch. Yes that was painful to say". He later stated, "Well Brian here is the thing. Now your stuck with her. She has no one but you. So. Call me when you are ready to pay me to take her back".

On 04/03/18 at 2202 hrs Brian received a text message from 978-222-7319. This number has also been confirmed as belonging to Kenyoun Gifford based on the fact that he provided this phone number to Detective Attardo on 04/12/18. The message stated, "Hey little buddy. You know she is lying to both us right?" Kenyoun then went on to say that Amy (Butland) is having sex with both of them. Kenyoun then sent Brian a photo of a female on a bed who is presumably Amy. At approximately 2228 hrs Kenyoun told Brian that he was right outside his address.

On 04/08/18 at 0938 hrs, four days before the CrimeLine tip that led to our entry into Brian's apartment, Kenyoun asked Brian, "Did amy find out you have been less than faithful?" Brian asked "With who". Kenyoun replied, "How do you think I got all my intel on your place? Sounds like a serious shit hole by the way. How you get to fuck you there is beyond me. Amy wouldn't even tell me what you drive. Had to find out my self. She is stupidly loyal." He then told Brian that he knew he drove a red Ford Explorer. Kenyoun then sent Brian a photo of Brian's vehicle with his license plate.

Kenyoun then added, "But hold that thought. I have a really funny joke for you later." He later stated, "Wait for the punch line. It's coming. Trust me your not gonna want to miss it. Trust me you will know it when it hits you".

On 04/12/18 at 0619 hrs Brian tried to call Kenyoun but there was no answer. He then sent a text message to Kenyoun saying, "So u like to spray paint shit on my door huh". Kenyoun replied, "No. I was with my girl all damn night".

Kenyoun then stated, in reference to his previous comments to Brian, "You remember that joke? That day you fucked Amy? Wanna hear it now?" He then said, "I literally have zero to deal with what anyone is talking about". Kenyoun added, "Here is the big secret. Ready? She is still doing both of us". Kenyoun also stated, "Cause yeah. Calling the cops. Not my style. Coming after you or your family That would be hypothetically more my speed".

It should be noted that no child sexual abuse images or anything of the like were found on Brian's cell phone.

On 06/21/18, after getting a search warrant signed by the Honorable Judge William Lyons, we executed a search of Kenyoun's residence. During the search, we located burglarious tools, to include a lock pick set with numerous tools in Kenyoun's jacket pocket and an automatic lock pick tool inside his residence. We also located flash lights, an opened box of rubber gloves, leather gloves, and black spray paint. On top of that, we located photo paper that matched the size and make of the paper that the child sexual abuse images found in Brian's room were printed on. There were also several printers in the home. We seized numerous electronics as well, to include laptops, desktop towers, tablets, cell phones, and storage devices.

06/21/18 at 1037 hrs Detective Brian Attardo and I conducted a voluntary interview with Kenyoun. He was read his rights via the NH Uniform Statement form and agreed to answer questions. Kenyoun identified Amy Butland as his ex-girlfriend and Brian Johnson as Amy's current boyfriend. He stated that he knows where Brian lives and has "an idea" what happened. He said Amy told him someone wrote 'pervert' on Brian's door and then called in and said Brian was dead or injured and police went and kicked in Brian's door and found child pornography inside Brian's apartment.

Kenyoun stated that he dated Amy for approximately six years. He stated that they stopped being together sexually when she called the police on him in Manchester (04/17/18). He stated that he found out Amy was in a relationship with Brian about three months prior to that.

Kenyoun stated that his relationship with Amy became "complicated" after he found out about Brian. He stated that it made it more difficult because Amy remained in a relationship with Brian.

Kenyoun admitted to talking with Brian on 'Plenty of Fish' "a few times". He stated that he was pretending to be a "very attractive girl" while talking with Brian. He said he did this a couple times as different women and every time he was able to get Brian to show interest in what he thought was a female. He then showed Amy what he did.

Kenyoun stated that he also communicated with Brian via text message. He stated he talked to Brian as himself but also talked to him (with a different phone number) while pretending to be a female that Brian had previously "hooked up with".

Kenyoun stated that he has been to Brian's apartment. I asked him if he had ever been inside Brian's residence. Kenyoun looked down slightly, closed his eyes, and said "no". I asked him if he was sure and he replied that he had gone upstairs and put his hand on Brian's doorknob. He stated he stopped himself because Brian had a "kid". He this happened at night, "probably past 8", and was on the more recent side of things. He then stated that it "could have been" in the middle of the night.

I also asked Kenyoun where he was the night into the morning when Amy told him and asked him about the police being at Brian's residence (04/11/18 into 04/12/18). Kenyoun stated that he recalled that night/morning and stated he was with the current "girl (he's) seeing", who he identified as Krystal Jenkins.

I asked Kenyoun if he was in Manchester at all on 04/11/18 or 04/12/18. He stated, "Not that I recall". I then asked if he was in Manchester anytime 24 hours prior to receiving the text message from Amy about the police being at Brian's home (which was sent on the morning of 04/12/18). Kenyoun replied, "Probably", and added that his job requires travel so he could have been there. He stated he was "maybe" in Manchester at night within 24 hours prior to receiving that text message from Amy. I then asked Kenyoun if he was in Manchester within 8 hours of receiving that text and he replied, "Probably not". I reminded Kenyoun that he told Amy via text message that morning (04/12/18) that he was at home all night with his girlfriend. I asked him if he told her that because it was true or just to make her jealous. He replied that it "could have been either/or".

I asked Kenyoun if he had any lock pick sets in his home. He stated that there were lock picks in the home and that his roommate loved to pick locks. Kenyoun stated that he "used to" know how to pick locks.

I asked Kenyoun if he has ever seen 'child porn'. He looked down slightly, closed his eyes, and stated, "Not to my knowledge". I asked Kenyoun if he had ever printed out 'child porn'. Kenyoun closed his eyes tight and stated "no".

I then asked Kenyoun if he had ever been inside Brian's apartment. Kenyoun tilted his head, looked upward at an angle, then paused for thirty seconds before stating, "Not that I recall". I then asked if it was possible that he was in his apartment. Kenyoun stated, "Hypothetically, I didn't take it so well and I may have been doing a lot of drinking those three months, hypothetically."

I also asked Kenyoun if he ever went into Brian's apartment before 04/11/18. Kenyoun replied, "Not that I remember".

Detective Attardo asked Kenyoun if he ever called the Manchester Police Department. He stated, "Not recently". He stated he was "pretty sure" he last called for a traffic accident.

I also asked Kenyoun if he ever called DCYF. He paused and then asked what DCYF was. I explained what it stood for and Kenyoun replied, "Probably a few times. That guy was a piece of shit". I asked if he called DCYF on Brian. Kenyoun then said his "time was up" and refused to answer that question. He then stood up to leave the room.

On 06/24/18 at 1702 hrs I spoke to Kenyoun's roommate, Nina Mycue 02/27/83. Nina noted that Kenyoun has used her photo paper and the printers to print photos in the past.

She stated that she and Kenyoun are both part of a group that challenged themselves as a hobby to pick locks. She stated they had a manual lock pick set and an electronic lock pick in the home.

Nina stated that Kenyoun is usually gone at night. Nina noted that Kenyoun is so busy that she sometimes goes days without seeing him.

Based on the aforementioned facts and circumstances, I respectfully request that an arrest warrant be issued against Kenyoun Gifford for (1) one count of False Report to Law Enforcement in that

he knowingly gave the Manchester Police Department information that Brian Johnson was in possession of child sexual abuse images, knowing the information was false and with the purpose of inducing the MPD to believe that Brian had committed an offense, (2) one count of Criminal Mischief, in that he, having no right to do so nor any reasonable basis for belief of having such a right, he purposely damaged property of another, an apartment door belonging to Brian Johnson by spray painting 'PEDO' on it, (3) one count of Burglary, in that he, with the purpose to commit the crime of possession of child sexual abuse images therein, and not being licensed or privileged to enter, he entered the home of Brian Johnson, at 64 Winter St, Manchester, at night, which was not open to the public, and (4) one count of Manufacture/Possession of Child Sexual Abuse Images, in that he knowingly manufactured and possessed a visual representation of a child engaging in sexually explicit conduct.

3. Based upon the foregoing information (and upon my personal knowledge) there is probable cause to believe the defendant did commit a crime (or offense) as above stated. Wherefore, I request the court issue an arrest warrant and order a duly authorized officer to take the defendant and bring him/her before the court having jurisdiction.


(name)

Then personally appeared the above named Det. Nicholas Georgoulis and made oath that the foregoing affidavit by him subscribed is true.

Before me this 28 day of JUNE, 2018


Justice of the Peace-Manchester District Court EX 9-18-18

And I, William H. Lyons Justice of the Peace, Manchester District Court have personally examined the complaint against the aforesaid defendant, and any information contained in the above affidavit, and have orally examined the above applicant. Based upon such information I conclude there is - (~~is not~~) sufficient cause for the issuance of the arrest warrant sought. Therefore, the arrest warrant is granted - (~~denied~~) and the arrest warrant is - (~~is not~~) issued.


Name and Title of Magistrate

WILLIAM H. LYONS

Notes of issuing Magistrate
On Reverse

State of New Hampshire

Hillsborough County

9th Circuit - District Division - Manchester

Arrest Warrant

To the Sheriff or his Deputies of any county in this State, or any Police Officer within the State:

Whereas, the Complainant, Detective Nicholas Georgoulis, Manchester Police, Manchester, NH, in the County of Hillsborough has exhibited to me, William H. Lyons, A Justice in the County of Hillsborough, his complaint upon oath against the defendant, **Kenyoun Gifford D.O.B. 10/05/1982, of 124 Haverhill Rd, Salem, NH**, in the County of Rockingham for one count of False Report to Law Enforcement, contrary to NH RSA 641:4, one count of Criminal Mischief, contrary to NH RSA 634:2, one count of Burglary, contrary to NH RSA 635:1, and one count of Possession/ Manufacture of Child Sexual Abuse Images, contrary to NH RSA 649-A:3.

We command you to take him/her, if found to be in your precinct, and bring him/her before the 9th Circuit, Manchester District Court.

Dated the 29 day of June, 2018.


Justice
WILLIAM H. LYONS

RETURN

STATE OF NEW HAMPSHIRE

County of Hillsborough

I have arrested the Defendant and now have him/her before the Court as commanded.

6/30/18
Date

N. Georgoulis
Name of Officer
Manchester PD Detective
Title of Officer