

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT  
STATE OF IDAHO, COUNTY OF BONNEVILLE  
MAGAISTRATE DIVISION

STATE OF IDAHO, )  
Plaintiff, )

Case No. CR- 16-8468

v. )

AFFIDAVIT OF PROBABLE CAUSE  
FOR WARRANTLESS ARREST  
UNDER I.C.R. 5

Sean Patrick Smith )

DOB: 04/22/1973 )

SSN: )

Defendant. )

STATE OF IDAHO )

: ss

County of Bonneville )

Detective Zeb Graham, the undersigned peace officer, being first duly sworn, deposes and states under oath as follows:

1. I am a duly qualified and acting peace officer for **Bonneville County Sheriff's Office**.
2. I have probable cause to believe the above-identified defendant committed the offense(s) of Video Voyeurism (FELONY)(IC 18-6609).
3. The facts upon which I rely in believing there is probable cause that the above defendant committed the above offense(s)

On July 11, 2016, Deputy P. Sagers responded to a report of a disturbance that took place at Target (a large retail store), city of Ammon, Bonneville County, ID.

An 18-year old female, M.R., reported to Deputy Sagers that while she was trying on swimwear in a fitting room at Target, someone in the adjacent fitting room was video recording or taking photographs of her with an Apple iPhone by holding the phone over top of the barrier between the rooms.

The victim's mother, T.R., confronted the suspect, who immediately fled on foot. Both M.R. and T.R. described the suspect as a white male who was wearing a dress and a blonde wig. A witness, T.M, observed the suspect get into a vehicle and leave area. This vehicle is registered to the defendant.

On July 12, 2016, I contacted the defendant's roommate, L.B., who told me that her roommate is a transgender male who identifies as a female, Shauna Smith. I showed L.B.

surveillance still photos of the suspect from target, and L.B. identified the suspect's clothing as that of the defendant's.

I contacted the defendant on July 12, 2016. I interviewed the defendant. The defendant eventually admitted to me that she had made videos in the past of women undressing. The defendant told me that she makes these videos for the 'same reason men go online to look at pornography'. The defendant told me that she finds the videos sexually gratifying. The defendant asked me to unlock her Apple iPhone and look at the camera roll. I looked at the camera roll and observed a video of a young adult female undressing in a changing room at what appears to be Target. The defendant admitted to me that this video was recorded at Target.

BCSO Case Number 2016-08234

I, Detective Zeb Graham, the undersigned declare and state:

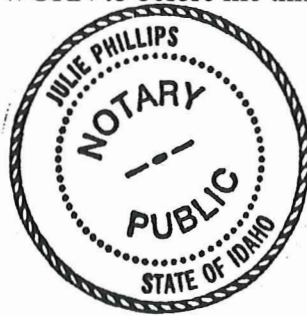
"I declare under penalty of perjury pursuant to the law of the State of Idaho that the information contained in this document and attached reports and documents that may be included herein is true and correct to the best of my information and belief."

Dated this 12<sup>th</sup> day of JULY, 2016 . Signed:



Peace Officer / Affiant

SUBSCRIBED AND SWORN to before me this 13 day of July, in the year 2016.



Magistrate or Notary Public for State of Idaho

Residing at: Idaho Falls, Idaho

My commission expires: Feb. 3, 2018

**REVIEWED AND APPROVED FOR CHARGING BY BONNEVILLE COUNTY PROSECUTING ATTORNEY'S OFFICE.**