

IN THE CIRCUIT OF GREENE COUNTY, MISSOURI

Division \_\_\_\_\_ 2008 NOV 12 10 2 10

)  
) No. \_\_\_\_\_ )  
)

SEARCH WARRANT TO SEARCH FOR EVIDENCE OF INVASION OF PRIVACY

STATE OF MISSOURI )  
) ss.  
COUNTY OF GREENE )

THE STATE OF MISSOURI TO ANY PEACE OFFICER IN THE STATE OF MISSOURI:

WHEREAS, on this 3<sup>rd</sup> day of November, 2008, Application for Issuance of a Search Warrant and Affidavit(s) in writing, duly verified by oath or affirmation, has been filed with the undersigned Judge of this Court, alleging that there is probable cause to believe that there exists in this county and state the following evidence related to the commission in this county and state of the crime of Invasion of Privacy, to-wit:

- 1) Computers and computer system hardware, including but not limited to: an HP personal laptop computer (serial #2CE63708ZH) taken by consent from [REDACTED] at his residence at [REDACTED] in Springfield, Missouri. This is to include: computer hard drives, disk drives, floppy drives, tape drives, media card readers, monitors, printers, scanners
- 2) Computer software, including but not limited to: Commercial software and manuals, disk applications programs, data disks, operating system disks, Compact Discs (CDs), Digital Video Discs (DVDs), floppy disks, zip disks, computer tapes, cassettes, cartridges, streaming tape, flash media cards, flash or thumb drives, and any other digital or optical storage media
- 3) Photo editing software
- 4) Password and user Ids
- 5) Electronic mailing and Internet history information

and WHEREAS the terms "record" and "records" and "information" include all of the foregoing evidence in whatever form and by whatever means they may have been created or stored, including any electrical, electronic, or magnetic form (including information on the property more fully described below); any handmade form (such as writing, drawing, painting); any mechanical form (such as printing or typing); and any photographic form.

and WHEREAS it further appears that there is PROBABLE CAUSE to believe that the foregoing evidence related to the commission in this county and state of the crime of Invasion of Privacy may be found in this county and state on the following property, to-wit:

Doran provided me with a video camera labeled "4" and stated that it contained a videotape which depicted a female undressing and then weighing before getting dressed and leaving the room. Doran said that another staff member had observed the camera in ██████ possession, later viewed the tape and then turned it in. Doran then explained that while he was speaking with one of the victims, that she stated that that she had seen the video camera that was labeled "4" in ██████ house in March 2008. Doran explained that an internal audit had shown that there were two videotapes missing and it was believed that ██████ had those in his possession.

On October 29, 2008, Corporal Nathan Thomas, Corporal Robert Byrne and I contacted ██████ at his residence at ██████. ██████ invited us inside his residence and I immediately observed a black laptop computer on the coffee table in the living room. It was open and turned off. There was a "flash drive" plugged in to the side of the computer in a USB port. ██████ was seated directly in front of it and stated that he had been "updating his resume".

I explained the reason for our presence and ██████ stated that he understood and was willing to cooperate with the investigation. ██████ admitted that he had secretly videotaped women undressing for their weigh in.

I explained that there were two videotapes missing and ██████ denied ever having them in his possession. I asked for consent to search ██████ house for the videotapes and he stated that we could. ██████ consent was documented with a written Consent to Search Form that he signed and Corporal Byrne and Corporal Thomas witnessed. The consent form also included the seizure of ██████ laptop computer.

During the search of the residence, two videotapes were found in the kitchen trashcan. The tapes had been partially destroyed with the tape pulled out of the cassettes. When confronted with this, ██████ admitted that he had the tapes and that they contained images of three women undressing for the weigh in. ██████ then identified the three women as: ██████ (age 20), ██████ (age 19) and ██████ (age 23).

I saw an "S" video cable attached to ██████ big screen television and he admitted that the cable was used to connect the video camera to the television so that he could watch the women undress. I also observed that there were all of the necessary cables to connect the video camera to ██████ computer, although he denied downloading any of the images. The computer was seized by Corporal Byrne (computer forensic examiner) and taken to Police Headquarters where it was logged into the Property Room.

On October 31, 2008, ██████ contacted me by telephone and stated that he wanted to tell me everything. He stated that there was fourth woman on the tapes and that she was sixteen years of age. ██████ identified the girl as ██████ (DOB ██████-1992, age 16). ██████ stated that he did not think he was a "pedophile", but perhaps this was how they get started.

printers, scanners, plotters, video display monitors, and optical readers); and related communication devices (such as modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone-generating devices); as well as any devices, mechanisms, or parts that can be used to restrict access to computer hardware (such as physical keys and locks).

The term "computer software" as used in this affidavit refers to digital information that can be interpreted by a computer and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical, or other digital form. It commonly includes programs to run operating systems, applications (such as word-processing, graphic, or spreadsheet programs), utilities, compilers, interpreters, and communications programs.

The term "computer-related documentation" used in this affidavit refers to written, recorded, printed, or electronically stored material which explains or illustrates how to configure or use computer hardware, software, or other related items.

Computer passwords and other data security devices are designed to restrict access to or hide computer software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alpha-numeric, or other special characters) usually operates as a "digital key" to "unlock" particular data security devices. Data Security hardware may include encryption devices, chips, and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

I, Corporal Fred Beck DSN 1191, Springfield Police Department, believe that this evidence is now located at the above-described location based on the following facts.

As a Detective for the Springfield Police Department, I was assigned the follow up investigation into allegations of Invasion of Privacy as described in a Springfield Police report (#08-50647).

On October 28, 2008, St. Johns Hospital security was notified that a training staff member, identified as [REDACTED], had been secretly videotaping females as they conducted their weekly "weigh ins". Hospital staff confronted [REDACTED] and he admitted that he had videotaped the women without their knowledge. [REDACTED] employment was terminated. Security officer Randy Myers completed a report that documented [REDACTED] actions and admissions.

On October 29, 2008, St. Johns hospital security director Dewayne Doran contacted police in reference to [REDACTED] actions and admissions. Officer Jonathan Bartel completed the original report. I arrived and spoke with Doran who explained that it was not the normal practice to have athletes weigh nude unless it was immediately preceding an event and those cases had a female trainer witness the weights. Doran explained that [REDACTED] worked with the women on Saturdays and no such events occurred on those days. Doran said that [REDACTED] had instructed the women to weigh nude in order to obtain a more accurate weight and that he had moved the scales into a secluded room to ensure privacy for the women. Doran stressed that it was necessary for [REDACTED] to personally move the scales into the room each week.