

IN THE  
FOURTH DISTRICT COURT-HEBER  
COUNTY OF WASATCH, STATE OF UTAH

State of Utah  vs.  TYREL PRESTON SMITH Date of Birth: 12/15/2001	<h2 style="margin: 0;">Affidavit of Probable Cause</h2>
Arrestee	

On 12/21/2021 12:26 the defendant was arrested for the offense(s) of:

#	Offense Date	Offense Description	Statute	Gov Code	Severity	DV
1	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
2	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
3	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
4	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
5	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
6	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
7	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
8	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
9	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No
10	12/21/2021	SEXUAL EXPLOITATION OF A MINOR	76-5B-201	UT	F2	No

I believe there is probable cause to charge the defendant with these charges because:

On August 31, 2021, the Utah Attorney General's Office received a referral from the National Center for Missing and Exploited Children (NCMEC) regarding a Skype user who had uploaded/distributed a file containing an image depicting the sexual exploitation of a minor.

More specifically, the one-minute, twenty-three-second color video shows what appears to be an adult male whose body from the mid torso to mid-thigh is seen. The male's erect penis is seen in the image. A prepubescent female child is also seen in the recording. Her face and upper torso are shown in the recording. The adult male is recorded in the act of sodomizing the child (adult male's penis to child's mouth.)

I investigated the user and served a warrant to Skype for data associated with the Skype user. Skype provided responsive data. Among the data was an email address, tyrelsmith333@gmail.com. Also among the Skype user data was videos and images of an adult male recording himself in the act of masturbating.

I found a Utah Driver License for Tyrel Preston Smith (Smith) and confirmed that the driver license photo matches the person who is seen in the images and video recording himself masturbating.

I found that Smith was recently convicted in the Fourth District for a sex offense against a minor and that he was free on pre-trial release, pending sentencing and that he was wearing an ankle monitor.

Agents served a residential search warrant at Smith's home in Wasatch County. Agents seized a laptop computer, among other digital electronics. Agents searched the digital contents of the laptop and found several

hundred images and video which depict the sexual exploitation of children. The images are similar in nature to the here-in described video.

Under Miranda, Smith confessed to having possessed and viewed such images and video. Smith confessed that he does such at least once a week.

Smith confessed that he was sexually attracted to girls who have petite builds and that his preference is girls between 14 and 17 years old. However, the content of child sexual exploitation material found on his laptop depict prepubescent children (male and female) between the ages of two and eight years old being raped and sodomized. Smith said he is unable to sexually climax with adult pornographic content or sex partners.

Regarding the Skype account, I saw that Smith had been messaging with a person who Smith confessed he believed was 17 and who lived in Louisville, Kentucky. The messaging was sexual in nature. In the messaging, Smith said when he got the ankle monitor off in 2 months, he would travel to see her. Smith confessed to having shared the here-in described video to another Skype user.

Smith committed the offenses described herein while out on bail or other pretrial release conditions from the Fourth District Court. Due to this fact regarding the extreme public safety risk Smith poses, I request that Smith be held without bail.

I believe these to be additional condition(s) for continued detention:

The current offense is a felony committed while on probation or parole, or while free on bail awaiting trial on a previous felony charge. There is substantial evidence to support the felony charge.

Smith is free on pretrial conditions for a felony sex offense involving a minor (Fourth District Court) Sentencing January 2022.

The current offense is a felony. There is substantial evidence to support the charge, and through clear and convincing evidence that ? would constitute a substantial danger to any another individual or to the community, or is likely to flee the jurisdiction of the court if released on bail.

Regarding the Skype account, I saw that Smith had been messaging with a person who Smith confessed he believed was 17 and who lived in Louisville, Kentucky. The messaging was sexual in nature. In the messaging, Smith said when he got the ankle monitor off in 2 months, he would travel to see her. Smith confessed to having shared the here-in described video to another Skype user.

Smith committed the offenses described herein while out on bail or other pretrial release conditions from the Fourth District Court. Due to this fact regarding the extreme public safety risk Smith poses, I request that Smith be held without bail.

Officer Name: MATTHEW BURKE THOMPSON

Badge ID: 27A35

I am a sworn officer with: UT018015A - ATTORNEY GENERAL

Arresting agency case number: AG2021-541

Associated citation number:

I declare under penalty of perjury and under the laws of the State of Utah that the foregoing is true and correct.

/s/ MATTHEW BURKE THOMPSON

#### SUBMISSION IDENTIFICATION INFORMATION

Booking agency: Wasatch County SO

Booking agency ORI: UT0260000

Booking agency case number:

SID: 3061017

OTN:

Booking UserID:

Booking date/time:

Submission ID: 1605211 (Version 1)