

2020CF070388NC

PROBABLE CAUSE AFFIDAVIT

Sarasota County

ORIGINAL

ARR Agency: Sarasota County Sheriff's Office

ARR Type: Adult Arrest w/o Warrant

SSO Case #: 202000054660	Bkg #: 20-7378	OBTS #: 5801280543	UTC #:
Agy Inc #: 20-54660	SAO #:	FDLE #: 04609337	

DEFENDANT INFORMATION

Defendant: SMITH, MICHAEL JAMES				Alias:			
DOB: 03-12-1981	Age: 39	Sex: M	Race: W	Hgt: 600	Wgt: 180	Hair: BROWN	Eyes: BROWN
Street: 347 HOLLY	RD		City: VENICE	State: FL		Zip:	
Phone:	Scars/Tattoos:						
DL #: S530550810920	State: FL	SS #:	Place of Birth: ABERDEEN		WA		
Occupation: UNEMPLOYED	Employer: UNEMPLOYED						
Emp Address:						Phone:	

Citizenship	Immigration Status	Residence Type	Residence Status	Under the Influence
				Drugs: UNK Alcohol: UNK

CRIME EVENT

Crime Date/Time: 09-09-2020 11:00:00	Loc Type:	Zone: 019	Grid: 555
Crime Location: 347 HOLLY	RD	VENICE	

FS/Ord #: 827.071(5) OBSCENE MATERIAL-POSSESS. POSS CONTROL VIEW DEPICTION CHILD SEX CONDUCT Cnt: 30 Level: F Bond: 0

Investigating Officer: ELLIS, DALE ID #: 2696

Drug Unit: Drug Type: Drug Activity: Weapon Type: Weapon Finish: Caliber: Seized?

ARREST EVENT

Arrest Date/Time: 09-09-2020 11:30:00 Arrest L.E.O/ID #: ELLIS, DALE 2696 Assist L.E.O/ID #:

Arrest Location: 347 HOLLY RD Zone: 019 Grid: 555

Capias/Warrant #: County/State of Warrant #:

Bkg Date/Time: 9/9/2020 7:02:12 PM Returnable Date: 10-23-2020 Booking Ofcr/ID #: GARRIS, AMANDA 3099

Released by: Released to: Released Date/Time:

VICTIM INFORMATION

Name: FLORIDA, STATE OF	Phone:			
Address:	Wk Phone:			
DOB:	Age:	Sex:	Race:	Release Notification Date/Time:

Defendant: SMITH, MICHAEL JAMES



Agy Inc #: 202000054660

PROBABLE CAUSE AFFIDAVIT

Sarasota County

Report Date: 09-09-2020 16:37:33

Officer Name/ID #: ELLIS,DALE

2696

Your Affiant is a detective with the Sarasota County Sheriff's Office.

On 09/09/2020 your Affiant executed a search warrant at 347 Holly Road Venice, Florida in reference to the possession of child sexual exploitation material. Upon entering the residence a white male, later identified as Michael James Smith was located on a couch. A blue cell phone was located under Smith's body, where he was laying on the couch. Smith's blue cell phone was triaged along with all of the other electronic devices within the residence and it was discovered there were images depicting child sexual exploitation material on the device.

During an initial examination of Smith's cell phone detectives located a total of 301 images depicting suspected child sexual exploitation material. Of the 301 images located, 271 were determined to be age difficult or child erotica and 30 depict child sexual exploitation material as defined in F.S.S. 847.001. These images depict children ranging in ages from approximately 6 years old up to approximately 16 years old. Some of the children are being sexually battered and others are nude and posed in sexually explicit positions with their sexual organs exposed.

During a post Miranda audio/video recorded interview, Smith stated he was given the cell phone from a female friend who resides within the residence. Smith also stated he and the friend were trying to use the "dark web" on the device to purchase fake money and other illegal items. Smith further stated he has looked at pornography on the device but, stated he only searched for "teens" when looking at pornography. Smith stated he believed "if the Internet said they were 18 then they must be legal". Smith was shown images from the device which clearly depict prepubescent children and Smith stated he believed the child was 18 years old.

There were illegal narcotics as well as narcotic paraphernalia located throughout the residence and in plain view.

It was discovered Smith is currently on Felony probation for driving while license suspended and possession of a controlled substance.

Based on the above mentioned facts, your Affiant believes probable cause exists to charge Smith with 30 counts of violating F.S.S. 827.071(5) possess control view depiction child sex conduct.

Signature of L.E.O./Affiant

Det. Ellis #2696

ID# 2696

Sworn to (or affirmed) and subscribed before me

In Person

this 9th day of September 2020

By: ELLIS,DALE

(Name of Affiant)

Who is personally known to me:

YES

Or who has produced identification:

Witness signature

Det. R. Ortiz #1614

Printed name

ORTIZ III,RAFAEL

ID# 1614

Supervisor signature

Sgt. J. Santeliff #2345

ID# 2345

Defendant: SMITH,MICHAEL JAMES



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