

During the course of the investigation, Sean Ensz was also able to confirm that several other OU email accounts either had their passwords reset or attempts were made to do so. Ensz was able to determine that password resets and/or attempts were done from a Cox Communication IP address 68.12.171.23 and from an OU HSC IP address 157.142.26.116.

On November 3, 2011, a search warrant [SW-2011-696] was executed with the assistance of Oklahoma City Police Department. Said search warrant was executed at 208 NW 34th Street, Oklahoma City, OK 73118, the same being the residence occupied by Dustin B. Graham. The affiant of the search warrant was searching for a device—computer or electronic that had the unique Media Access Control (MAC) address of 70:f1:a1:b4:8a:2b. As a result of the search warrant three items were seized; 1) Dell Inspiron Laptop serial # 1P4YFL1, 2) Dell Inspiron Mini-Laptop serial # FFBSRM1, 3) iPhone 3GS serial # 869384AR3NP.

During the execution of the SW-2011-696, I explained to Graham that I knew his computer was used to access University of Oklahoma student webmail accounts and change the users' passwords. A laptop was recovered in black back pack with red trim. Graham stated that it was his laptop in his back-pack and he did use it to access and change passwords to email accounts. Graham stated he was bored and saw it as a challenge. Graham also stated that he has a file on the desktop of the passwords that he has collected from previous attempts that have worked. I invited Graham to finish the interview at my office. Graham asked if he could speak to an attorney first. I gave Graham my contact information and informed him to contact me to setup an interview.

On November 4, 2011, Dustin Graham called my office and scheduled an interview. Graham arrived at the OU Police Department HSC at approximately 9:45am. The interview was audio & video recorded. At the beginning of the interview, I reminded Graham that the last time we spoke he wanted to talk to an attorney before coming in to talk to me. I asked if anything had changed. Dustin Graham stated that he talked to his attorney Kenny Graham. Dustin Graham informed me that his attorney told him to just come in and talk to the police and tell the truth, and that he [the attorney] did not need to be there. Mr. K. Graham is an uncle to Dustin Graham and has a law firm in Lawton, Ok.

I started the interview by recapping what Dustin Graham stated to me on Thursday November 3, 2011 after a search warrant signed by Oklahoma County District Judge R. Hall was presented to him at his residence, located at 208 NW 34th Street Oklahoma City, Ok. I informed Graham that according to OU Computer Security Incident Response Team (CSIRT) the laptop that he uses with the Media Access Control (MAC) address 70:f1:a1:b4:8a:2b was the computer device that was used to reset passwords of numerous OU student's email accounts. Dustin Graham stated he used the Dell Inspiron [serial # 1P4YFL1] laptop at school and home and it was the same

computer device he used to reset passwords. Dustin Graham stated that he did not share this computer with his roommate/girlfriend or anyone else.

After Dustin Graham stated that the Dell Inspiron laptop [serial # 1P4YFL1] was his and he did use it to reset passwords. I reminded Dustin Graham that on November 3, 2011 he told me that he did it just to see if could. Graham stated that he would test passwords to gain or attempt to gain access into OU student accounts because he was bored. Dustin Graham stated when he would take breaks from studying he would check Facebook [a social network site]. While checking Facebook he would see posts on individuals' profiles. He stated in the interview, "I wonder if I could get into that [the accounts]". Graham stated that is how it got started. Graham stated he wasn't trying to do anything to the accounts or collect any information he was just trying to see if he could gain access to the accounts. When Graham was asked if he thought this was wrong or illegal. Graham stated that he knew it was probably wrong, but did not think about the legal ramification of his actions. Graham stated the main thing he did was try to get into their [the victims'] Facebook accounts. Graham stated that he was just being nosey. I asked if the Facebook profile was set to *private* you would still trying to get into it. Graham stated yes, that was basically what he was doing. Graham stated when he got the passwords to email accounts changed he would use the new passwords to get into the Facebook accounts to look at their page(s) to include photographs and whatever else was available. I asked Graham why or what was the reason(s) for the majority of the accounts being female students between the ages of 20 to 24. Graham stated that females give more information on Facebook profiles and with that information he was able to guess answers to the challenge questions to reset passwords. Graham stated numerous times during the interview, he knows his actions were stupid and he realizes that his reasons don't make much sense.

On Thursday November 3, 2011, I brought a sealed cardboard tote containing a Dell Inspiron 1545 Laptop Model PP41L, serial number 1P4YFL1 with power cord, and a Dell Inspiron Mini Laptop Model 1012, serial number FFBSRM1 with power cord, and an Apple iPhone 3G in a black case, serial number unknown at the time it was submitted to Sean Ensz with OU CSIRT, 200 Felgar Street Norman, OK 73019. These items were seized in accordance with Search Warrant 2011-696.

As a result of a forensic examination performed by Sean Ensz on a Dell Inspiron 1545 Laptop Model PP41L, serial number 1P4YFL1 pursuant to SW-2011-696 Ensz was able to determine that initially 35 victims were affected the vast majority were female students between the age of 20 and 26. At the conclusion of the examination of Graham's laptop Ensz was able to locate approximately 56 OUNETID's belonging to former and current students of the University of Oklahoma on Dustin Graham's laptop, of the 56 victims, Ensz was able to collect cyber forensic evidence from Graham's computer that connects Graham to at least 21 victims, i.e. document files and/or multimedia files

that were download/uploaded–taken possession of by Graham without the consent or knowledge of the accountholder.

Your affiant was able to interview seven (7) female victims in connection to documents and/or multimedia files belonging to them located on the Dell laptop computer owned and controlled by Dustin Graham. The victims were identified as C. Little, B. Shaw, J. Bridgforth, A. Hurney, M. Russell, C. Bugg, and A. Hatfield. All victims identified the documents and/or multimedia files as their property. All victims gave statements stating that they never gave Dustin Graham permission to take, use, change, modify or access any account belonging to them for any purpose whatsoever.

On or about Wednesday November 9, 2011, Sean Ensz contacted me via phone in reference to a folder labeled IHI Objectives, which contained username and password data for several email hacking victims. In this folder is where Ensz found the password data and multimedia files that appear to be computer property not belonging to Dustin Graham. Ensz also located several clandestine video files in this folder. The clandestine videos depicted a bathroom, appearing to belong to Dustin Graham. According to Ensz, the majority of the clandestine videos have Dustin Graham in camera view setting up the camera or camera device. The camera views changed from recording females showering, changing clothes to urinating in toilet.

As a result of this new evidence, an additional search warrant was applied for on December 14, 2012, [SW-2011-825] to include the evidence discovered by Ensz, which was preserved on a 16GB USB drive. There were a total of 7 clandestine videos that were recovered in a folder labeled IHI Objectives. This is the same folder where Ensz found evidence of usernames and passwords of OU student.

The file names for said video files are; IMG_0554.MOV, IMG_0555.MOV, IMG_0596.MOV, IMG_0639.MOV, IMG_0643.MOV, IMG_0649.MOV, and IMG_0683.MOV. These clandestine videos were of different sections of Dustin Graham's bathroom at his residence located at 208 NW 34th Street Oklahoma City, OK 73118. All videos contained audio, which capture any and all conversation that occurred within the bathroom as well as space adjacent to the bathroom. Dustin Graham's primary targets for these clandestine videos were females who either used the bathroom to change clothes, shower or use the toilet. There are 10 females victims who were affected by Dustin Graham's clandestine camera. In each of the 7 videos Dustin Graham is recorded on video setting up and placing the camera to get the best vantage point for his target selection. Due to the nature of the file extensions and how the camera device is being setup and taken down by Graham; it is alleged that Graham used his iPhone 3GS to video and audio record all targets in his clandestine videos.

Your affiant was able to identify all the female victims who were recorded in the clandestine video using the bathroom to change clothes, shower or use the toilet. Many of the victims were recorded by Dustin Graham on more than one occasion. Out of the 10 females affected only 8 females wanted to press charges.

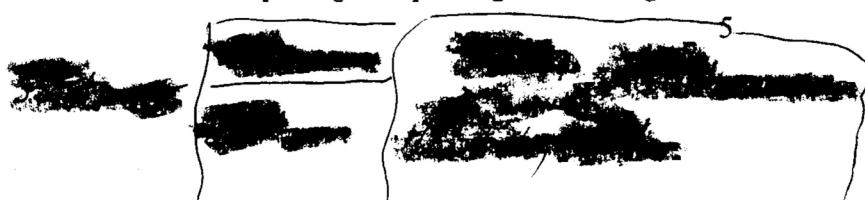
Victim CJW was recorded in three different videos. Said videos are IMG_0554.MOV [video length 7:39] dated June 16, 2011 @ 1:55:23pm, IMG_0649.MOV [video length 1:59:47] dated August 20, 2011 @ 10:31:26pm, and IMG_0683.MOV [video length 2:27:49] dated October 29, 2011 @ 10:42:51pm. These videos recorded CJW exposing her breasts, buttocks and pubic/genitalia region to the camera without her knowledge or consent. Dustin Graham is seen on each video setting up the camera device in the bathroom.

Victim KMW was recorded in four different videos. Said videos are IMG_0554.MOV [video length 7:39] dated June 16, 2011 @ 1:55:23pm, IMG_0639.MOV [video length 1:51:52] dated August 12, 2011 @ 10:03:39pm, IMG_0643.MOV [video length 12:56] dated August 16, 2011 @ 9:53:57pm, and IMG_0649.MOV [video length 1:59:47] dated August 20, 2011 @ 10:31:26pm. These videos recorded KMW exposing her breasts, buttocks and pubic/genitalia region to the camera without her knowledge or consent. KMW is a sibling to CJW. Dustin Graham is seen on each video setting up the camera device in the bathroom.

Victim ABW [a minor child under the age of 13] was video recorded in video IMG_0596.MOV [video length 9:16] dated July 20, 2011 @ 2:41:36pm victim ABW in the bathroom at Dustin Graham's house without her knowledge fully disrobing and changing into a swimsuit. Mr. Jay Watkins—father to said victim, identified her from a still photo taken from said video. The video recorded ABW exposing her breasts to the camera without her knowledge or consent. Due to the static nature of the camera, ABW was out of the camera view when she changed into the bottoms of her swimsuit. ABW is a sibling to CJW and KMW. Dustin Graham is seen on the video setting up the camera device in the bathroom.

Victim JAB was recorded in video IMG_0555.MOV [video length 31:29] dated June 22, 2011 @ 11:09:18am victim JAB was video recorded in the bathroom at Dustin Graham's house without her knowledge or consent fully disrobing and changing into a swimsuit. The video recorded JAB exposing her breast and pubic/genitalia region to the camera without her knowledge or consent. Dustin Graham is seen on the video setting up the camera device in the bathroom.

Victim KMA was recorded in two different videos. Said videos are IMG_0639.MOV [video length 1:51:52] dated August 12, 2011 @ 10:03:39pm, and IMG_0683.MOV [video length 2:27:49] dated October 29, 2011 @ 10:42:51pm. The camera in these videos was positioned in such a manner that it captured only the toilet. These videos recorded KMA exposing her pubic/genitalia region to



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the camera without her knowledge or consent. Dustin Graham is seen on each video setting up the camera device in the bathroom.

Victim ALG was recorded in three different videos. Said videos are IMG_0639.MOV [video length 1:51:52] dated August 12, 2011 @ 10:03:39pm, IMG_0649.MOV [video length 1:59:47] dated August 20, 2011 @ 10:31:26pm, and IMG_0683.MOV [video length 2:27:49] dated October 29, 2011 @ 10:42:51pm. The camera in these videos was positioned in such a manner that it captured only the toilet. These videos recorded ALG exposing her pubic/genitalia region to the camera without her knowledge or consent. Dustin Graham is seen on each video setting up the camera device in the bathroom.

Victim MJM was recorded in two videos. Said videos are IMG_0649.MOV [video length 1:59:47] dated August 20, 2011 @ 10:31:26pm, and IMG_0683.MOV [video length 2:27:49] dated October 29, 2011 @ 10:42:51pm. The camera in these videos was positioned in such a manner that it captured only the toilet. These videos recorded MJM exposing her pubic/genitalia region to the camera without her knowledge or consent. Dustin Graham is seen on each video setting up the camera device in the bathroom.

Victim MAE was recorded in two videos. Said videos are IMG_0649.MOV [video length 1:59:47] dated August 20, 2011 @ 10:31:26pm, and IMG_0683.MOV [video length 2:27:49] dated October 29, 2011 @ 10:42:51pm. The camera in these videos was positioned in such a manner that it captured only the toilet. These videos recorded MAE exposing her pubic/genitalia region to the camera without her knowledge or consent. Dustin Graham is seen on each video setting up the camera device in the bathroom.

These offense(s) occurred in Oklahoma County.

Based on the evidence stated above I believe, **Dustin Graham**, is in violation of State Statute(s)

Count 1-7: T21 § 1958- Using access to a computer to violate Oklahoma Computer Crime Act [Seven Computer Hacking Victims].

Count 8: T21 § 1953.A.1-Unlawful access to a computer system/network.

Count 9: T21 § 1171.B. Peeping Tom via clandestine electronic/video equipment [Victim CJW]

Count 10: T21 § 1171.B. Peeping Tom via clandestine electronic/video equipment [Victim KMW]

Count 11: T21 § 1171.B. Peeping Tom via clandestine electronic/video equipment [Victim ABW]

Count 12: T21 § 1171.B. Peeping Tom via clandestine electronic/video equipment [Victim JAB]

Count 13: T21 § 1171.B. Peeping Tom via clandestine electronic/video equipment [Victim KMA]

Count 14: T21 § 1171.B. Peeping Tom via clandestine electronic/video equipment [Victim ALG]

Count 15: T21 § 1171.B. Peeping Tom via clandestine electronic/video equipment [Victim MJM]

Count 16: T21 § 1171.B. Peeping Tom via clandestine electronic/video equipment [Victim MAE]

Count 17: T21 § 1024.1 A. Manufacture & Possession of Child Pornography [Victim ABW]

Affiant

Subscribed and sworn to before me this _____ day of _____, 2012

My Commission Expires: _____

COMM # _____

Notary Public

This Court, having conducting a probable cause determination for the subject's arrest without a warrant finds:

Probable cause for the subject's arrest **does exist** and did at the time of the arrest.

Probable cause **did not exist** for the subject's arrest and subject is ordered released immediately.

Done this _____ day of _____, 20__ at _____ o'clock __m.

JUDGE OF THE DISTRICT COURT