

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Aug 24, 2022**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Shawn P. Sather

Case Number: 0980 2:11CR00003-LRS-1

Address of Offender: [REDACTED] Pullman, Washington 99163

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: June 6, 2012

Original Offense: Distribution of Child Pornography, 18 U.S.C. § 2252(a)(2);
Possession of Child Pornography, 18 U.S.C. § 2252(a)(5)(B)Original Sentence: Prison - 120 months Type of Supervision: Supervised Release
TSR - monthsRevocation Sentence: Prison - 4 months
(July 23, 2020) TSR - Life

Asst. U.S. Attorney: Stephanie A. Van Marter Date Supervision Commenced: October 22, 2020

Defense Attorney: Molly Marie Winston Date Supervision Expires:

PETITIONING THE COURT

To issue a summons.

On October 26, 2020, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Sather, as outlined in the judgment and sentence. He signed the judgment acknowledging the requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Special Condition #6:</u> You are prohibited from possessing or manufacturing any material, including videos, magazines, photographs, computer-generated depictions, or any other media that depict sexually explicit conduct involving children or adults, as defined at 18 U.S.C. § 2256(2). You must not enter any establishment involved in the sex industry, including but not limited to adult bookstores, massage parlors, and strip clubs. You must not utilize any sex-related adult telephone numbers. The supervising officer is authorized to monitor compliance in this area by obtaining relative records including but not limited to telephone, Internet, credit cards and bank statements.
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Supporting Evidence: On or about June 2, 2022, Shawn Sather allegedly violated special condition number 6 by possessing media that depicted sexually explicit conduct.

On May 6, 2022, Mr. Sather was subject to a maintenance polygraph as regularly scheduled. Based on the physiological responses he produced, the polygrapher opined that the offender had been untruthful when he was asked if he had viewed pornography since his last

Prob12C

Re: Sather, Shawn P.

August 24, 2022

Page 2

polygraph. In a post-test interview, the offender subsequently admitted he belonged to many Facebook groups that have “sexually stimulating images,” to include images that “may show a nipple.”

On June 2, 2022, the offender reported to the U.S. Probation Office to meet with the undersigned officer as scheduled. Because of concerns that were raised in his recent maintenance polygraph, the undersigned officer inspected Mr. Sather’s cell phone to ensure that Covenant Eyes was installed on his device and working properly, but no issues were identified.

The offender was subsequently asked to show this officer the Facebook groups he belongs to, which he had referred to during the post-test interview after his most recent polygraph. Upon reviewing a few of the offender’s Facebook groups (to include “iphone girls x2,” “Flirt’s Season,” and “Anime Mix”), the undersigned officer found a number of photos and videos that depicted sexually explicit conduct. The depictions reviewed by this officer ranged from videos of topless women kissing one another to anime cartoons of naked women.

This officer would note that Mr. Sather made no effort, either before or after the maintenance polygraph on May 6, 2022, to report that he had viewed sexually explicit content online. This officer is very concerned that the offender has circumvented the Covenant Eyes program, as he admitted to viewing “sexually stimulating images,” none of which were captured by the Covenant Eyes program.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegation(s) contained in this petition.

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

Executed on: 08/24/2022

s/Amber M.K. Andrade

Amber M.K. Andrade

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

August 24, 2022

Date