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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

UNITED STATES OF AMERICA,	INDICTMENT
Plaintiff,	CASE NO. 5:11CR594
v.	JUDGE JUDGE POLSTER
SAMUEL MULLET, SR., JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER, EMANUEL SHROCK, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and LINDA SHROCK.	Title 18, United States Code, Sections 249(a)(2), 371, 1512(c)(1) and 2
Defendants.	

GENERAL ALLEGATIONS

1. At all times relevant to this indictment, M.M., B.M., D.W., R.H., A.H., L.H., M.L.M., M.S., and A.S. practiced the Amish religion.

2. At all times relevant to this indictment, beard and head hair were symbols of the Amish religion as practiced by M.M., B.M., D.W., R.H., A.H., L.H., M.L.M., M.S., and A.S.

3. At all times relevant to this indictment, SAMUEL MULLET, SR., JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER, EMANUEL SHROCK, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and LINDA SHROCK were members of a community in or near the Bergholz, Ohio area (the "Community") that purported to practice the Amish religion.

4. At all times relevant to this indictment, SAMUEL MULLET, SR. was the Bishop of the Community. As the Bishop, SAMUEL MULLET, SR. was the Community's leader. His responsibilities included "making sure things were peaceful", that the members were living their everyday lives in a manner that was consistent with scriptural teachings as interpreted by him, and "to see that the members obey" his instructions and directives.

5. At all times relevant to this indictment, SAMUEL MULLET, SR. encouraged and allowed the Community to engage in practices of self-deprivation and corporal punishment in order to demonstrate: (a) their truthfulness and devotion to SAMUEL MULLET, SR., and (b) that they were recommitting themselves to the Community.

6. At all times relevant to this indictment, SAMUEL MULLET, SR. misappropriated the wives of other members of the Community and "counseled" them on how to be sexually satisfied in their marriages. To this end, the women were expected to leave their husbands and children

and live in SAMUEL MULLET, SR.'s house where they were further expected to be sexually intimate with him. The women who disobeyed or resisted this practice were ostracized from the Community.

7. JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET and LINDA SHROCK are among SAMUEL MULLET, SR.'s 18 children with his wife.

8. ELI M. MILLER, LESTER MILLER, and RAYMOND MILLER are among SAMUEL MULLET, SR.'s nephews.

9. LEVI MILLER is a member of the Community.

10. ANNA MILLER is married to another of SAMUEL MULLET, SR.'s nephews.

11. FREEMAN BURKHOLDER is married to one of SAMUEL MULLET, SR.'s nieces.

12. EMANUEL SHROCK is married to SAMUEL MULLET, SR.'s daughter LINDA SHROCK.

COUNT 1

The Grand Jury charges:

1. Paragraphs 1-12 of the General Allegations are incorporated by reference in this count.

2. From in or about September 2011, through in or about December 2011, in the Northern District of Ohio, and elsewhere, defendants SAMUEL MULLET, SR., JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER, EMANUEL SHROCK, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, LINDA SHROCK ("Defendants"), and others known and

unknown to the Grand Jury, did knowingly and voluntarily conspire, combine, confederate and agree with each other to:

A. Willfully cause bodily injury to M.M., B.M., D.W., R.H., A.H., L.H., M.L.M., M.S. and A.S. because of the actual and perceived religion of M.M., B.M., D.W., R.H., A.H., L.H., M.L.M., M.S. and A.S., resulting from travel using an instrumentality of interstate commerce and employing a dangerous weapon that travelled in interstate commerce, in violation of Title 18, United States Code, Section 249(a)(2).

B. Corruptly alter, destroy, mutilate, and conceal a record, document, or other object with the intent to impair the object's integrity or availability for use in an official proceeding, in violation of Title 18, United States Code, Section 1512(c)(1).

C. Willfully falsify, conceal, and cover up by any trick, scheme, and device a material fact, and make materially false, fictitious, and fraudulent statements and representations in any matter within the jurisdiction of the executive branch of the United States, in violation of Title 18, United States Code, Section 1001.

Manner and Means of the Conspiracy

3. It was part of the conspiracy to assault and willfully cause bodily injury to M.M., B.M., D.W., R.H., A.H., L.H., M.L.M., M.S. and A.S. by forcibly cutting off their beards and head hair and causing them other physical injuries because of previous and ongoing religious disagreements Defendants and others known and unknown to the Grand Jury had with M.M., B.M., D.W., R.H., A.H., L.H., M.L.M., M.S. and A.S.

4. It was part of the conspiracy that the beards and head hair were forcibly removed because beards and head hair are symbols of the Amish religion.

5. It was part of the conspiracy that similar attacks were discussed and planned for members of other Amish communities with whom there were previous and ongoing religious disagreements.

6. It was part of the conspiracy to conceal evidence of these attacks from law enforcement investigators, to include photographs taken after the assaults and the camera with which they were taken, scissors and clippers used during the assaults, and the beards and head hair collected after the assaults.

7. It was part of the conspiracy that false and misleading statements were made to agents of the Federal Bureau of Investigation and other law enforcement agencies to hinder efforts to investigate the attacks on M.M., B.M., D.W., R.H., A.H., L.H., M.L.M., M.S. and A.S.

Overt Acts

In furtherance of this conspiracy, and to accomplish its objectives, the Defendants committed the following overt acts, among others, in the Northern District of Ohio, and elsewhere:

8. On or about September 6, 2011, LESTER MILLER went to SAMUEL MULLET, SR.'s property and took possession of the Wahl battery-operated hair clippers stored there.

9. On or about September 6, 2011, ELI M. MILLER, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, hired a driver to transport them from the Bergholz area to the residence of M.M. and B.M. in Trumbull County, Ohio.

10. On or about September 6, 2011, ELI M. MILLER, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, entered the home of M.M. and B.M. and forcibly restrained them.

11. On or about September 6, 2011, ELI M. MILLER, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, used scissors and Wahl battery-operated hair clippers to forcibly cut off M.M.'s beard and head hair, as well as B.M.'s head hair, causing bodily injury to M.M. and B.M.

12. On or about September 6, 2011, ELI M. MILLER, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, directed their hired driver to leave the Trumbull County home of M.M. and B.M. and return to SAMUEL MULLET, SR.'s home in the Bergholz area.

13. On or about September 6, 2011, upon their return to the Bergholz area, ELI M. MILLER, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, recounted for SAMUEL MULLET, SR. and others known and unknown to the Grand Jury, what they had done to M.M. and B.M.

14. In or about September 2011, LEVI MILLER placed a telephone call to D.W. to entice D.W. to hire a driver so that D.W. could visit LEVI MILLER at the home of EMANUEL SHROCK, which is in the Bergholz area.

15. On or about September 24, 2011, while D.W. was visiting LEVI MILLER, ELI M. MILLER and EMANUEL SHROCK at the home of EMANUEL SHROCK, LEVI MILLER provided D.W. with a cup of coffee that was laced with an over-the-counter product intended to make D.W. ill.

16. On or about September 24, 2011, LEVI MILLER, ELI M. MILLER, EMANUEL SHROCK, and others known and unknown to the Grand Jury, enticed D.W. to take a walk with them to view EMANUEL SHROCK's property, and thereafter forcibly restrained D.W. and removed his beard and head hair with scissors, causing bodily injury to D.W.

17. On or about October 4, 2011, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER, EMANUEL SHROCK, LESTER MILLER, and approximately 22 other persons known and unknown to the Grand Jury, hired a driver to take them in a motor vehicle and horse trailer from the Bergholz area to: the Mt. Hope Auction in Holmes County; a residence in Holmes County; a residence in Carroll County; and then back to SAMUEL MULLET, SR.'s house.

18. On or about October 4, 2011, SAMUEL MULLET, SR. provided JOHNNY S. MULLET with directions from the Mt. Hope Auction to the home of R.H.

19. On or about October 4, 2011, LESTER MILLER purchased from C.W. a pair of scissors which were manufactured in the State of New York and sent via private, interstate postal carrier to C.W. in Ohio for resale, and provided those scissors to JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER. These 8" horse mane scissors are sharp enough to cut through leather.

20. On or about October 4, 2011, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, and ELI M. MILLER entered the home of R.H. where they assaulted him by forcibly restraining him and removing his beard and head hair, causing R.H. bodily injury.

21. On or about October 4, 2011, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, and ELI M. MILLER entered the home of R.H., forcibly restrained his son, A.H., and cut off A.H.'s beard and head hair, causing A.H. bodily injury.

22. On or about October 4, 2011, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, and ELI M. MILLER entered the home of R.H. and assaulted L.H. when L.H. tried to intervene and stop the attack on R.H., causing L.H. bodily injury.

23. On or about October 4, 2011, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, and ELI M. MILLER went to the home of M.L.M., forcibly restrained him, cut off his beard hair, and caused M.L.M. bodily injury.

24. On or about October 4, 2011, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER, EMANUEL SHROCK, LESTER MILLER, and others known and unknown to the Grand Jury, directed their hired driver to take them, as well as the approximately 22 persons in the horse trailer, to SAMUEL MULLET, SR.'s home where they immediately reported to SAMUEL MULLET, SR. that they had cut off the head and beard hair of Amish men.

25. In or about October 2011, SAMUEL MULLET, SR. gave several media interviews wherein he stated that: (a) the beard and head hair cuttings were "all about religion"; (b) that these religious disputes "started with us excommunicating members that weren't listening to or obeying the laws"; (c) he could have stopped the attacks if he wanted to; (d) the attacks were intended to send a message to members of the Amish community in Holmes County (where R.H., A.H. and L.H. reside) that they should be ashamed for the way they treated SAMUEL MULLET, SR. and the Community; and (d) he should be allowed to punish those who don't obey him rather than let them run all over him.

26. On or about October 9, 2011, SAMUEL MULLET, SR., LESTER S. MULLET, and others known and unknown to the Grand Jury, participated in a recorded telephone conversation in which they discussed a camera that was used to memorialize some of the attacks. During this conversation, LESTER S. MULLET asked SAMUEL MULLET, SR. to get rid of the camera because he (LESTER S. MULLET) had told law enforcement officers about the camera. SAMUEL MULLET, SR. responded by saying that he (SAMUEL MULLET, SR.) was not going

to throw the camera away but that another member of the Community would tell law enforcement officers that the camera had been destroyed.

27. On or about October 9, 2011, during the same recorded telephone call described in Paragraph 26 above, SAMUEL MULLET, SR. told LESTER S. MULLET that other members of the Community were "ready to do it again should I say – they want to go right away again."

28. On or about October 9, 2011, SAMUEL MULLET, SR., LEVI MILLER, and others known and unknown to the Grand Jury, participated in a recorded telephone call in which they discussed SAMUEL MULLET, SR. recovering and destroying: (a) the over-the-counter product LEVI MILLER put in D.W.'s coffee, and (b) the pictures taken of the assaults.

29. On or about October 9, 2011, during the same recorded telephone call described in Paragraph 28 above, SAMUEL MULLET, SR. again said that some members of the Community were ready to commit similar attacks.

30. On or about October 15, 2011, LESTER MILLER told law enforcement officers that he did not know where the scissors he purchased at the Mt. Hope Auction, which were used in the October 4, 2011 attacks, were located.

31. On or about October 17, 2011, EMANUEL SHROCK placed and caused to be placed in a post office or other authorized depository for mail matter a letter to be sent and delivered by the Postal Service or other private or commercial carrier to M.S., in which EMANUEL SHROCK invited M.S. to visit him in the Bergholz area.

32. On or about October 24, 2011, EMANUEL SHROCK placed and caused to be placed in a post office or other authorized depository for mail matter another letter to be sent and delivered by the Postal Service or other private or commercial carrier to M.S., in which EMANUEL SHROCK invited M.S. to visit him in the Bergholz area.

33. On or about November 5, 2011, EMANUEL SHROCK placed and caused to be placed in a post office or other authorized depository for mail matter another letter to be sent and delivered by the Postal Service or other private or commercial carrier to M.S., in which EMANUEL SHROCK invited M.S. to visit him in the Bergholz area.

34. On or about November 9, 2011, EMANUEL SHROCK had a conversation with the Jefferson County Sheriff in which EMANUEL SHROCK told the Sheriff that M.S. would not have his beard and head hair removed while M.S. was visiting with EMANUEL and LINDA SHROCK.

35. On or about November 9, 2011, after M.S. and A.S. hired a driver to transport them to EMANUEL SHROCK's home in the Bergholz area, EMANUEL SHROCK, and others known and unknown to the Grand Jury, forcibly restrained M.S. and removed his beard and head hair, causing M.S. bodily injury.

36. On or about November 9, 2011, LINDA SHROCK, and others known and unknown to the Grand Jury, forcibly restrained and assaulted A.S. when she attempted to intervene and stop the attack on M.S., causing A.S. bodily injury.

37. On or about November 22, 2011, in an interview with agents with the Federal Bureau of Investigation, SAMUEL MULLET, SR. denied having any knowledge that members of the Community were considering stopping at the home of R.H on October 4, 2011.

All in violation of Title 18, United States Code, Section 371.

COUNT 2

The Grand Jury further charges:

1. Paragraphs 1-12 of the General Allegations and Paragraphs 3-7, 8-13, and 25-29 of Count 1 of this indictment are incorporated by reference in this count.

2. On or about September 6, 2011, in the Northern District of Ohio, Eastern Division, and elsewhere, the defendants, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, did willfully cause bodily injury to M.M. and B.M. because of the actual and perceived religion of M.M. and B.M.

3. Specifically, LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, hired a driver to transport them in a motor vehicle to the home of M.M. and B.M., and then assaulted M.M. by forcibly removing M.M.'s beard and head hair and B.M.'s head hair with scissors and battery-operated Wahl hair clippers.

4. The conduct described herein occurred as a result of the travel of LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, using an instrumentality of interstate and foreign commerce.

5. The conduct described herein involved LESTER MILLER, RAYMOND MILLER, FREEMAN BURKHOLDER, ANNA MILLER, and others known and unknown to the Grand Jury, kidnapping M.M and B.M.

All in violation of Title 18, United States Code, Sections 249(a)(2) and 2.

COUNT 3

The Grand Jury further charges:

1. Paragraphs 1-12 of the General Allegations and Paragraphs 3-7, 14-16, and 25-29 of Count 1 of this indictment are incorporated by reference in this count.

2. On or about September 24, 2011, in the Northern District of Ohio, Eastern Division, and elsewhere, the defendants, LEVI MILLER, EMANUEL SHROCK, ELI MILLER, and others known and unknown to the Grand Jury, did willfully cause bodily injury to D.W. because of the actual and perceived religion of D.W.

3. Specifically, LEVI MILLER, EMANUEL SHROCK, ELI MILLER and others known and unknown to the Grand Jury, assaulted D.W. by forcibly removing his beard and head hair with scissors after inducing D.W. to hire a driver to transport him and his wife to EMANUEL SHROCK's home in the Bergholz area.

4. The conduct described herein occurred as a result of the travel of D.W. and his wife using an instrumentality of interstate and foreign commerce.

5. The conduct described herein involved LEVI MILLER, EMANUEL SHROCK, ELI MILLER, and others known and unknown to the Grand Jury, kidnapping D.W.

All in violation of Title 18, United States Code, Sections 249(a)(2) and 2.

COUNT 4

The Grand Jury further charges:

1. Paragraphs 1-12 of the General Allegations and Paragraphs 3-7, 17-22, and 24-29 of Count 1 of this indictment are incorporated by reference in this count.

2. On or about October 4, 2011, in the Northern District of Ohio, Eastern Division, and elsewhere, the defendants, SAMUEL MULLET, SR. JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, ELI M. MILLER, LESTER MILLER, and others known and unknown to the Grand Jury, did willfully cause bodily injury to R.H., A.H., and L.H. because of the actual and perceived religion of R.H., A.H., and L.H.

3. Specifically, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, ELI M. MILLER, and others known and unknown to the Grand Jury, hired a driver to transport them in a motor vehicle and horse trailer to the home of R.H., A.H., and L.H. where they assaulted R.H. and A.H. by forcibly removing their beards and head hair with the scissors purchased by LESTER MILLER and Wahl battery-operated hair clippers, and assaulted L.H. by throwing him into the arm of a couch and injuring his ribs.

4. In connection with the conduct described herein, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, ELI M. MILLER, and others known and unknown to the Grand Jury, employed a dangerous weapon, to wit, the scissors purchased by LESTER MILLER, which had traveled in interstate and foreign commerce.

5. The conduct described herein occurred as a result of the travel of JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, ELI M. MILLER, and others known and unknown to the Grand Jury, using an instrumentality of interstate and foreign commerce.

6. The conduct described herein involved JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, and ELI M. MILLER kidnapping R.H., A.H., and L.H.

All in violation of Title 18, United States Code, Sections 249(a)(2) and 2.

COUNT 5

The Grand Jury further charges:

1. Paragraphs 1-12 of the General Allegations and Paragraphs 3-7, 17, 19, and 23-29 of Count 1 of this indictment are incorporated by reference in this count.

2. On or about October 4, 2011, in the Northern District of Ohio, Eastern Division, and elsewhere, the defendants, SAMUEL MULLET, SR., JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, ELI M. MILLER, LESTER MILLER, and others known and unknown to the Grand Jury, did willfully cause bodily injury to M.L.M. because of the actual and perceived religion of M.L.M.

3. Specifically, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, ELI M. MILLER, and others known and unknown to the Grand Jury, hired a driver to transport them in a motor vehicle and horse trailer to the home of M.L.M. where they assaulted M.L.M. by forcibly restraining him and removing his beard.

4. In connection with the conduct described herein, JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, ELI M. MILLER, and others known and unknown to the Grand Jury, employed a dangerous weapon, to wit, the scissors purchased by LESTER MILLER, which had traveled in interstate and foreign commerce.

5. The conduct described herein occurred as a result of the travel of JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, ELI M. MILLER, and others known and unknown to the Grand Jury, using an instrumentality of interstate and foreign commerce.

6. The conduct described herein involved JOHNNY S. MULLET, DANNY S. MULLET, LESTER S. MULLET, LEVI MILLER, and ELI M. MILLER kidnapping M.L.M.

All in violation of Title 18, United States Code, Sections 249(a)(2) and 2.

COUNT 6

The Grand Jury further charges:

1. Paragraphs 1-12 of the General Allegations and Paragraphs 3-7 and 25-36 of Count 1 of this indictment are incorporated by reference in this count.

2. On or about November 9, 2011, in the Northern District of Ohio, Eastern Division, and elsewhere, the defendants, EMANUEL SHROCK, LINDA SHROCK, and others known and unknown to the Grand Jury, did willfully cause bodily injury to M.S. and A.S. because of the actual and perceived religion of M.S. and A.S.

3. Specifically, EMANUEL SHROCK, LINDA SHROCK, and others known and unknown to the Grand Jury, assaulted M.S. by forcibly removing his beard and head hair with scissors, and assaulted A.S. when she attempted to intervene in the attack on M.S.

4. The conduct described herein occurred as a result of the travel of M.S. and A.S. using an instrumentality of interstate and foreign commerce, and EMANUEL SHROCK using an instrumentality of interstate and foreign commerce.

5. The conduct described herein involved EMANUEL SHROCK, LINDA SHROCK and others known and unknown to the Grand Jury, kidnapping M.S. and A.S.

All in violation of Title 18, United States Code, Sections 249(a)(2) and 2.

COUNT 7

The Grand Jury further charges:

1. From on or about October 9, 2011, through on or about December 20, 2011, in the Northern District of Ohio and elsewhere, the defendants, SAMUEL MULLET, SR., LEVI

MILLER, LESTER S. MULLET, LESTER MILLER, and others known and unknown to the Grand Jury, corruptly altered, destroyed, mutilated, and concealed an object with intent to impair the object's availability for use in an official proceeding, to wit: after learning that law enforcement officials were investigating the attacks described in Counts 2 through 6, SAMUEL MULLET, SR., LEVI MILLER, LESTER S. MULLET, LESTER MILLER, and others known and unknown to the Grand Jury, concealed a camera used to take photographs of the victims; the photographs contained therein; and the over-the-counter medication placed in D.W.'s coffee.

All in violation of Title 18, United States Code, Section 1512(c)(1) and 2.

A TRUE BILL.

Original Document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.