AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

2011 NOV 22 PM 2:58

United States of America v. Samuel Mullet, Sr.	)	Case No. 4:11 MJ 6133

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Sept. 2011 through November 2011 in the county of Holmes, Carroll and Jefferson in the Northern District of Ohio, the defendant(s) violated:

Code Section	*Offense Description*
18:371	Conspiracy
18:249	Hate Crime Acts
18:2	Aiding and abetting Hate Crime Acts

This criminal complaint is based on these facts:

See attached Affidavit

☐ Continued on the attached sheet.

Complainant's signature

Michael S. Sirohman, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: November 22, 2011

Judge's signature

City and state: Cleveland, Ohio

Greg White, U.S. District Judge

Printed name and title

BMB

ATTACHMENT A

AFFIDAVIT

Affidavit in support of a Criminal Complaint against:

Samuel Mullet, Sr.
Johnny S. Mullet
Daniel S. Mullet
Lester S. Mullet
Levi F. Miller
Eli M. Miller
Emanuel Schrock

I, Michael S. Sirohman, a Special Agent (SA) of the Federal Bureau of Investigation (FBI), Cleveland Division, being duly sworn on oath, hereby deposes and states:

1. As a Special Agent (SA) with the FBI, I am an investigative and law enforcement officer of the United States within the meaning of 28 U.S.C. § 533 and 18 U.S.C. § 3052 and am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. I have been a Special Agent of the FBI for approximately ten years, and am currently assigned to the Cleveland Division, Canton Resident Agency. While employed by the FBI, I have conducted and assisted with numerous federal criminal investigations and prosecutions related to, among other things, civil rights violations, Internet fraud, bank fraud, economic crimes and criminal conspiracies. I have received hundreds of hours of law enforcement, tactical and investigative training from the FBI, state and local law enforcement agencies, as well as on the job training.

3. Having participated in numerous federal criminal investigations and prosecutions, I have gained extensive experience in performing interviews of witnesses, sources of information and targets of investigations, and executing search warrants.

Also, I have sought advice from FBI Special Agents more experienced than myself in some of these matters. Through investigations and training, I have become familiar with the organization, planning and methods of criminal conspiracies and federal civil rights violations.

BASIS FOR KNOWLEDGE

4. The facts set out below are based upon information I have obtained from witnesses, victims, informants, documents and other law enforcement personnel. I have also reviewed numerous written, audio and video recordings of interviews in which some of the individuals charged herein made inculpatory statements to law enforcement personnel. I have not set out all of the information I have learned during the course of this investigation, but only that necessary to show that there is probable cause to believe that SAMUEL MULLET, SR., JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER and EMANUEL SCHROCK: conspired with each other and others to commit hate crimes in violation of 18 U.S.C. § 371; willfully caused bodily injury to any person or, through the use of a dangerous weapon, attempted to cause bodily injury to any person, because of the actual or perceived religion of any person in violation of 18 U.S.C. § 249; and aided and abetted another in willfully causing bodily injury to any person or, through the use of a dangerous weapon, attempted to cause bodily injury to any person, because of the actual or perceived religion of any person in violation of 18 U.S.C. § 2.

BACKGROUND

5. I have been advised by a Holmes County Sheriff's Detective, who is also a former member of the Amish community, that there are approximately five different orders of Amish and, within those orders, numerous Amish communities. Those persons identified as Bishops in their respective Amish communities serve dual roles as religious and community leaders. Consistent with their faith, Amish Bishops teach the scriptures and provide assistance to members and families in need. The largest concentration of Amish communities in the United States is located in Holmes and surrounding Ohio counties, including Carroll, Trumbull and Jefferson.

6. The Holmes County Sheriff's Detective, Victim 1, Victim 2 and Victim 3 have advised me further that, consistent with their religious beliefs, once married, Amish men do not cut their beard hair and Amish women do not cut their head hair. An Amish man's beard hair and an Amish woman's head hair carry religious significance. Indeed, Victim 1 stated that he would prefer to have been beaten black and blue than to suffer the disfigurement and humiliation of having his hair removed.

7. The Holmes County Sheriff's Detective has also explained that Amish teachings include pacifism, and violence of any kind is strictly forbidden. However, as Victim 3 explained, when a member of an Amish community refuses to live in a manner that is consistent with the Amish faith, the Bishop of that community is permitted to excommunicate the member. Such an excommunication bars the member from becoming a member of another Amish community until after the member has returned to the previous Amish community and "made things right." Other Amish communities are not permitted to accept the member into their community until after the member can

state that he has made things right with the previous Amish community. Essentially, excommunication bars an Amish member from having any religious affiliation without the blessing of the excommunicating Bishop. For an excommunication to be biblical, however, it must be based on the teachings of the Amish faith and cannot be based on revenge or punishment.

8. Victim 3 and his wife provided me with the following information. In approximately 1995, SAMUEL MULLET, SR., along with his wife and children, moved away from the Amish community in Fredericktown, Ohio (Holmes County) to Bergholz, Ohio (Jefferson County). They advised further that, in 2003, SAMUEL MULLET, SR. became the Bishop of the Amish community in Bergholz ("Bergholz clan"). JOHNNY S. MULLET, DANIEL S. MULLET, and LESTER S. MULLET are SAMUEL MULLET, SR.'s sons. EMANUEL SCHROCK is SAMUEL MULLET, SR.'s son-in-law because he is married to SAMUEL MULLET, SR.'s daughter Linda. LEVI F. MILLER and ELI M. MILLER are members of the Bergholz clan and live amongst the other members of that community in Bergholz, Ohio.

9. Victim 3 and his wife also explained that, in approximately 2005, approximately eight families moved away from the Bergholz clan for various reasons, but primarily due to religious disagreements with SAMUEL MULLET, SR.'s religious and community leadership. As a direct result of their decision to move away from the Bergholz clan, SAMUEL MULLET, SR. excommunicated those approximately eight families.

10. Victims 1, 2 and 3 also stated that other Amish Bishops learned of these excommunications and questioned whether they were consistent with Amish teachings

and scripture. To this end, in approximately 2005 or 2006, a meeting of approximately 300 Amish church leaders was held in Ulysses, Pennsylvania to address the practices of SAMUEL MULLET, SR. and the Bergholz clan. At the meeting in Ulysses, Pennsylvania, seven Bishops were elected to a committee to investigate the reasons for the excommunications by SAMUEL MULLET, SR. The committee was tasked with determining whether the excommunications were consistent with Amish teachings and scripture. If the committee determined that the excommunications were not consistent with Amish teachings and scripture, the excommunications would not be recognized by another Amish community, effectively overturning SAMUEL MULLET SR.'s order. Victim 1 was one of the seven Bishops on this committee.

11. Victims 1 and 2 stated that, in approximately 2005 or 2006, the Bishops' committee determined that the excommunications were based upon SAMUEL MULLET, SR.'s decision to seek revenge and punish the departing families. They declared that SAMUEL MULLET, SR.'s excommunication of these families was, in fact, inconsistent with Amish teachings and scriptures. The committee's decision overturned SAMUEL MULLET, SR.'s excommunications and the eight families were permitted to join other Amish communities, including communities in Trumbull and Carroll counties.

12. Witness 3, SAMUEL MULLET, SR.'s daughter-in-law, and Witness 4, SAMUEL MULLET, SR.'s former son-in-law, who are both former members of the Bergholz clan, have explained that SAMUEL MULLET, SR. controls all aspects of the lives of Bergholz clan members. No decisions are made in Bergholz or visitors permitted without SAMUEL MULLET, SR.'s permission. In disregard for Amish teachings and scripture, SAMUEL MULLET, SR. has forced extreme punishments on

and physical injury to those in the community who defy him, including forcing members to sleep for days at a time in a chicken coop on his property and allowing members of the Bergholz clan to beat other members who appear to disobey SAMUEL MULLET, SR. Moreover, SAMUEL MULLET, SR. has been "counseling" the married women in the Bergholz clan and taking them into his home so that he may cleanse them of the devil with acts of sexual intimacy. Witnesses 3 and 4 both explained that they left the Bergholz clan because they could not continue to live under SAMUEL MULLET, SR.'s control any longer.

THE CRIMINAL OFFENSES

13. The facts set forth below establish probable cause that SAMUEL MULLET, SR., JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER and EMANUEL SCHROCK have conspired to commit offenses against the United States in violation of 18 U.S.C. § 371, to wit, from in or about September 2011, and continuing though in or about November 2011, in the Northern District of Ohio and elsewhere, defendants SAMUEL MULLET, SR., JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER and EMANUEL SCHROCK did knowingly combine, conspire, confederate and agree to commit offenses against the United States, to wit, crimes in violation of 18 U.S.C. § 249, and that one or more of them acted to effect the object of the conspiracy, to wit, religiously degrading members of other Amish communities by restraining them and causing them bodily injury, to include disfiguring them by forcibly removing their beard hair in an effort to punish them for being Amish and for not agreeing with and supporting the decisions and conduct of a separate and distinct "Amish" community led

by SAMUEL MULLET, SR. in Bergholz, Ohio, and taking photographs to memorialize their successful degredation of those they wished to retaliate against.

14. The facts set forth below establish probable cause that JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER, aided and abetted by SAMUEL MULLET, SR. and other known persons, did willfully cause bodily injury to any person or, through the use of a dangerous weapon, attempt to cause bodily injury to any person, because of the actual or perceived religion of any person in violation of 18 U.S.C. § 249, to wit, forcibly restraining, causing bodily injury to Victims 1, 2 and 3, to include disfiguring them by removing their beard hair, in order to punish them for not agreeing with and supporting the decisions and conduct of a separate and distinct "Amish" community led by SAMUEL MULLET, SR. in Bergholz, Ohio, to wit, on October 4, 2011, JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER, at the direction of and with the assistance of SAMUEL MULLET, SR., went to Victim 1's home in Holmes County and caused physical pain to Victim 1, Victim 2 (Victim 1's son), and other members of their family, and then, after forcibly restraining Victims 1 and 2, pulled their beard hair and removed their beard hair with hair clippers and 8" scissors manufactured in the State of New York, and, when leaving, removed evidence of their crime, including photographs of Victim 1's disfigurement and then, that same night, went directly to the home of Victim 3 (a resident of Carroll County), and assaulted him, caused him physical pain, pulled his beard hair, and then, after forcibly restraining him, used the same 8" scissors to cut Victim 3's beard hair, all in violation of 18 U.S.C. §§ 249 and 2.

15. The facts set forth below establish probable cause that EMANUEL SCHROCK, aided and abetted by other known persons, did willfully cause bodily injury to any person or, through the use of a dangerous weapon, attempt to cause bodily injury to any person, because of the actual or perceived religion of any person, to wit: on November 9, 2011, EMANUEL SCHROCK, after having sent three separate letters to Victim 4 through the U.S. mail to persuade Victim 4 to travel from Ashland county to EMANUEL SCHROCK's home in Bergholz, Ohio, did, in fact, receive Victim 4 and his wife at his home in Bergholz and then, with the aid of others, did forcibly restrain Victim 4 and his wife and caused physical pain, remove Victim 4's beard hair with a pair of scissors, and then took evidence of their crime, to include photographs of Victim 4's disfigurement in order to punish him for not agreeing with and supporting the decisions and conduct of a separate and distinct "Amish" community led by SAMUEL MULLET, SR. in Bergholz, Ohio, in violation of 18 U.S.C. § 249.

FACTS SUPPORTING PROBABLE CAUSE

16. Witness 1 has stated that he is a hired driver for the Bergholz clan. On numerous occasions he has driven members of the Bergholz clan for a fee based on mileage in his Dodge 3500 pickup truck. On or about September 27, 2011, Witness 1 received a telephone call on either his cellular telephone or his home telephone from a member of the Amish community in Bergholz, Ohio. The purpose of the telephone call was to hire Witness 1 to drive members of the Bergholz community in Jefferson County to the Mount Hope auction in Holmes County, Ohio, on October 4, 2011. In preparation for the trip, Witness 1 went to a gas station in either Wintersville, Ohio or Bloomingdale, Ohio and filled up his Dodge 3500 truck with diesel fuel. At approximately 4:00 a.m. on

October 4, 2011, Witness 1 drove his Dodge 3500 truck, and attached horse trailer, to Bergholz, Ohio where he picked up approximately 27 members of the Bergholz community – most of whom were picked up at SAMUEL MULLET, SR.'s home. Five members traveled in the cab of the truck with the remainder traveling in the trailer.

17. Witness 1 stated further that the Bergholz clan arrived at the Mount Hope auction site at approximately 8:00 a.m. on October 4, 2011. Witness 1 stayed in the general vicinity while the auction was conducted. JOHNNY S. MULLET stated in a later confession to Holmes County Sheriff's Detectives that, while at the auction, he, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER discussed the plan to go to Victim 1's house to cut his hair for having been a member of the Bishop committee that disregarded SAMUEL MULLET, SR.'s excommunications.

18. Witness 1 also stated that, at approximately 9:00 p.m. on October 4, 2011, the Bergholz clan left the Mount Hope auction site in Witness 1's Dodge pickup and horse trailer. Some members, including JOHNNY S. MULLET, got into the truck with Witness 1. The remainder of the individuals, including EMANUEL SCHROCK, traveled in the trailer. JOHNNY S. MULLET told Witness 1 that they needed to make a stop on the way back to Bergholz. JOHNNY S. MULLET directed Witness 1 to drive to the homes of Victim 1 and 2 in Holmes County. These two houses are only approximately 12 feet apart. After stopping at the residences, Witness 1 observed JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER go to one of the residences. Victim 2 explained that five men knocked on his door and told Victim 2 that they needed to speak with him and his father, Victim 1.

Victim 2 took the men to his father's adjacent house and all the men sat down in Victim 1's living room.

19. Victim 2 stated further that, after gaining entry into Victim 1's home by stating that they need to speak with him (a not uncommon request due to Victim 1's position as a Bishop) and further misrepresenting themselves as being from "Scio", an entirely different Amish community and one that does not concern the other Amish communities the way the Bergholz clan does, JOHNNY S. MULLET announced that they were from Bergholz and that they were there to retaliate against Victim 1 for his involvement in the Bishop committee that overturned SAMUEL MULLET, SR.'s excommunications. Victim 1 recalled pleading with the Bergholz men not to cut his hair and attempted to cover his head with his hands. One of the Bergholz men announced that Victim 1 was a Christian and should not struggle with them. Victim 1 responded that they were Christians as well and should not be cutting his hair. In response, the attacker said, "We are not Christians." The Bergholz men then proceeded to disfigure Victim 1 by cutting his head and beard hair, and, in so doing, caused Victim 1 physical pain and two cuts to his head, both of which bled.

20. Victim 2 stated further that, during this struggle, the Bergholz men turned on him and said, "You are a preacher, too." They then proceeded to restrain him and pulled on his beard hair which caused him physical pain. They then disfigured Victim 2 by cutting his head and beard hair. While the subjects were cutting the head and beard hair of Victims 1 and 2, members of their family attempted to aid them, including a grandmother and granddaughter. Both were pushed aside. Another of Victim 1's sons attempted to aid him, but was thrown against a couch and suffered physical pain when

he injured his ribs. During LESTER S. MULLET's confession, he stated that ELI M. MILLER was in possession of a camera and took at least one photograph of Victim 1 after his head and beard hair had been cut.

21. Witness 1 stated that after JOHNNY S. MULLET and the others abruptly returned to his pickup truck, JOHNNY S. MULLET told Witness 1 that they needed to make another stop and provided the driver with directions to Victim 3's residence in Carroll County, Ohio. Victim 3 has explained that while he is an Amish Bishop, he was not part of the Bishop committee in Ulysses, Pennsylvania. Victim 3 and his wife explained that Victim 3's involvement with the Bergholz clan stems primarily from Victim 3's having provided aid and counseling to Witness 5, another of SAMUEL MULLET, SR.'s sons, after Witness 5 and his family left the Bergholz clan and joined Victim 3's Amish community.

22. Witness 1 stated that after arriving at Victim 3's home at approximately 10:45 p.m. on October 4, 2011, JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER approached the house. Victim 3 recalled that when he went to his door to see who was outside, JOHNNY S. MULLET announced himself and then pulled Victim 3 out of the house by his beard. The Bergholz men then proceeded to forcibly restrain Victim 3 while they disfigured him by pulling on and cutting his beard hair. Victim 3 continued resisting the attack and the Bergholz men ran back to the pickup truck and told the driver to take them back to Bergholz, Ohio. Victim 3 reported suffering physical pain as a result of the attack.

23. Upon returning to Bergholz, Ohio, Witness 1 stated that he drove straight to SAMUEL MULLET, SR.'s home. All of the Bergholz clan entered SAMUEL MULLET,

SR.'s home and remained there for about an hour, when part of the group left SAMUEL MULLET, SR.'s home and returned to Witness 1's vehicle. Witness 1 then drove the remaining members to five or six different homes in Bergholz. After dropping off the last of the Bergholz clan, Witness1 stopped at the Kings truck stop and filled up his vehicle with diesel fuel.

24. On October 7, 2011, JOHNNY S. MULLET was interviewed at the Jefferson County Jail by Holmes County Sheriff's Detectives regarding the events of October 4, 2011. JOHNNY S. MULLET confessed his involvement, as well as the involvement of DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER, in the religious attacks on Victims 1 and 2. JOHNNY S. MULLET also stated that his father, SAMUEL MULLET, SR., provided him with the home addresses for Victims 1 and 2. JOHNNY S. MULLET also advised that it was his idea to cut off the head and beard hair of Victims 1 and 2, and that while SAMUEL MULLET, SR. did not send them to do it, he did have discussions with SAMUEL MULLET, SR. about his plan prior to commencing the attacks. JOHNNY S. MULLET said that he used the scissors on Victim 1 and that LEVI F. MILLER used the hair clippers. JOHNNY S. MULLET stated that they committed the hair and beard cutting attacks out of anger and revenge.

25. On October 7, 2011, LESTER S. MULLET was interviewed by Holmes County Sheriff's Detectives at the Jefferson County Jail. LESTER S. MULLET also confessed his involvement, as well as the involvement of JOHNNY S. MULLET, DANIEL S. MULLET, LEVI F. MILLER and ELI M. MILLER, in the religious attacks on Victims 1 and 2 . LESTER S. MULLET stated that ELI M. MILLER used a camera to take a photograph of Victim 1. LESTER S. MULLET also confessed that after they ran

out of Victim 1's home, they got into the truck and traveled to Carroll County where the same five people attacked and removed the beard hair of Victim 3. LESTER S. MULLET further stated that when the group returned home that night they went to SAMUEL MULLET, SR.'s home and told them what they had done. In response SAMUEL MULLET, SR. laughed and said they were nuts.

26. On October 12, 2011, ELI M. MILLER was interviewed by a Holmes County Sheriff's Detective at the Holmes County Sheriff's office. ELI M. MILLER confessed his involvement, as well as the involvement of JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, and LEVI F. MILLER, in the religious attacks on Victims 1, 2 and 3. ELI M. MILLER also confessed his involvement in a similar attack on another Amish family in Trumbull County in September 2011.

27. I have confirmed that a similar attack involving ELI M. MILLER occurred in Trumbull County in September 2011. In connection with this investigation, I have reviewed a Trumbull County Sheriff's Office police report. According to that report, on September 6, 2011, at approximately 10:30 p.m., ELI M. MILLER, who was accompanied and assisted by several of his siblings and in-laws, went to the home of a male and female in Trumbull County. This couple had lived in Bergholz, Ohio, but moved out of that community approximately four years ago. ELI M. MILLER and other known persons forcibly held the couple down and disfigured the couple by removing the male's beard hair and portions of the female's head hair.

28. On October 12, 2011, DANIEL S. MULLET was interviewed by a Holmes County Sheriff's Detective at the Holmes County Sheriff's office. DANIEL S. MULLET confessed his involvement, as well as the involvement of JOHNNY S. MULLET,

LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER, in the religious attacks on Victims 1, 2 and 3, which he described as retaliation for their interference with church matters. DANIEL S. MULLET stated that he held Victim 1 down while JOHNNY S. MULLET cut his head and beard hair. DANIEL S. MULLET also said that he pushed Victim 1's elderly wife as she was trying to help her husband.

29. On October 7, 2011, LEVI F. MILLER was interviewed by a Holmes County Sheriff's Detective at the Jefferson County Jail, at which time he acknowledged his own involvement, and the involvement of JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, and ELI M. MILLER in the religious attacks on Victims 1, 2 and 3. LEVI F. MILLER stated that the October 4, 2011 attacks were initiated by JOHNNY S. MULLET. LEVI F. MILLER also stated that he did not think that SAMUEL MULLET, SR. told them "to do this one." LEVI F. MILLER explained further that SAMUEL MULLET, SR. usually gives the orders to the Bergholz clan because he is the Bishop.

30. On October 7, 2011, JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER and ELI M. MILLER were charged in Holmes County, Ohio with the following state offenses: kidnapping with the intent to terrorize or seriously harm and aggravated burglary. Until making bond, all five Bergholz men were detained in the Holmes County Jail.

31. On October 9, 2011, at approximately 8:00 p.m., LESTER S. MULLET (who was still incarcerated in the Holmes County jail) participated in a recorded telephone conversation with SAMUEL MULLET, SR. and an unknown female. At one point, LESTER S. MULLET told SAMUEL MULLET, SR. that if he (SAMUEL MULLET,

SR.) still had the camera to get rid of it. SAMUEL MULLET, SR. asked "why." LESTER S. MULLET stated that he mistakenly told them (the authorities) what Eli was doing. LESTER S. MULLET told SAMUEL MULLET, SR. a second time to get rid of the camera. SAMUEL MULLET, SR. then told LESTER S. MULLET the camera may be helpful to them and that Eli was going to tell them (the authorities) that he threw the camera away. SAMUEL MULLET, SR. said he would not throw the camera away because it might be what they need. SAMUEL MULLET, SR. stated that the camera flashed when it hit the ground, which might be what was needed.

31a. At another point in the telephone call an unknown female told LESTER S. MULLET that he should be ready to go again after he gets out of jail. LESTER S. MULLET said that he would have to sleep on it. SAMUEL MULLET, SR. then said, "Ray and the men are ready to do it again, should I say - they want to go right away again". LESTER S. MULLET reminded SAMUEL MULLET, SR. to watch what he said because everything was recorded and monitored.

31b. At another point in the conversation LESTER S. MULLET expressed concern that his kids would be taken away. SAMUEL MULLET, SR. responded that somebody will "get killed" before that happened.

31c. At a later point during the same call, SAMUEL MULLET, SR. mentioned that newspaper accounts were referring to the use of garden scissors during the hair cutting attacks. LESTER S. MULLET then said that Lester Miller bought the scissors and that JOHNNY S. MULLET used them.

32. On October 15, 2011, Lester Miller was interviewed by a Holmes County Sheriff's Detective. Lester Miller confirmed that he purchased scissors at the Mount

Hope Auction on October 4, 2011. Lester Miller was aware the scissors he purchased were used in the hair cutting attacks in Holmes County and Carroll County. Lester Miller did not know where the scissors were located.

33. On October 9, 2011, at approximately 8:40 p.m., LEVI F. MILLER, while still incarcerated in the Holmes County Jail, participated in a recorded telephone conversation with SAMUEL MULLET, SR., an unknown female, an unknown male and a female named Lizzie after the call was placed on speaker phone. During the telephone call SAMUEL MULLET, SR. and LEVI F. MILLER discussed the charges. SAMUEL MULLET, SR. told LEVI F. MILLER that he only cut off hair, and that he (SAMUEL MULLET, SR.) agreed with a newspaper account that taking off somebody's hair was a religious degrading.

33a. At another point in the telephone call SAMUEL MULLET, SR. and LEVI F. MILLER discussed the arrests of LEVI F. MILLER and the others. SAMUEL MULLET, SR. stated that some of the guys wanted to go out tonight and do it again. LEVI F. MILLER responded that he doesn't know, while SAMUEL MULLET, SR. laughed.

33b. At another point in the conversation, SAMUEL MULLET, SR. reminded LEVI F. MILLER how he (LEVI F. MILLER) was in the "chicken house" and "chicken shit" for a long time. LEVI F. MILLER stated that he told investigators he was in the chicken coop only one time for a period of 12 days. LEVI F. MILLER hoped that the investigators did not find out he was in the chicken coop on numerous occasions. The unknown male then interrupted and started talking to LEVI F. MILLER about how the group was talking about going to do it again. LEVI F. MILLER admits to wondering if they were going to do it again when SAMUEL MULLET, SR. interrupted and told them

they better behave themselves. LEVI F. MILLER stated that they should not do it again until they see what happens with the current situation first.

33c. At another point in the telephone call LEVI F. MILLER told SAMUEL MULLET, SR. he was worried about pictures they took and asked if "we" should get rid of them. SAMUEL MULLET, SR. said he would take care of them and not throw them away.

33d. At another point in the telephone conversation, LEVI F. MILLER was telling an unknown male that the Detective was asking about the scissors and clippers that were used. LEVI F. MILLER said as far as he knows they were at home. The unknown male tells LEVI F. MILLER that he should have told the Detective to come talk to SAMUEL MULLET, SR.

33e. At another point in the telephone conversation, an unknown male stated that if they can get through this situation then "we can go get more beard hair." LEVI F. MILLER said that was what he was thinking as well and then said that they would not stop with just one or two more victims.

34. On November 4, 2011, the FBI conducted an interview of Witness 2. Witness 2 operates a business called New Bedford Sharpening Service located in Baltic, Ohio. Witness 2 attended the Mount Hope Mid Ohio Horse Sale on October 4, 2011, to sell his products and services. Witness 2 provided a receipt dated 10/4/2011 showing that he sold 1 mane sheer for $27.95 to Lester M. Miller. The receipt also listed Lester M. Miller's known address. The sheers were originally purchased and shipped from Klein Cutlery, LLC, 7971 Refinery Road, Bolivar, New York for resale by Witness 2. According to Witness 2, the sheers are a special order product and have an

8" cutting edge. Witness 2 demonstrated the sharpness of the blade by cutting a piece of leather. The sheers were shipped from Bolivar, New York to Baltic, Ohio via United Parcel Service.

35. On November 9, 2011, another beard-cutting attack occurred. EMANUEL SCHROCK lives in Bergholz, Ohio and is married to SAMUEL MULLET, SR.'s daughter Linda. Victim 4 is EMANUEL SCHROCK's father.

36. VICTIM 4 and his wife were staying with another son in Ashland, Ohio for several weeks during October and November, 2011. Between October 17, 2011 and November 5, 2011, EMANUEL SCHROCK wrote three letters to Victim 4, which he then sent through the U.S. Mail. These letters requested Victim 4 to come to Bergholz to visit EMANUEL SCHROCK and his family. The letters also falsely promised Victim 4, who had expressed concern to EMANUEL SCHROCK about his own safety in light of the October 4, 2011 attacks on Victims 1, 2 and 3, that no harm would come to him during his visit to Bergholz, Ohio.

37. On or about November 9, 2011, prior to Victim 4 and his wife going to EMANUEL SCHROCK's residence, the Jefferson County Sheriff, Fred Abdalla, spoke with EMANUEL SCHROCK who assured Sheriff Abdalla that Victim 4 would be safe during the visit. Victim 4 and his wife reported that they went to EMANUEL SCHROCK's residence and visited for about 1 hour. As Victim 4 and his wife attempted to leave, EMANUEL SCHROCK, aided by other known persons, grabbed Victim 4 and restrained him while EMANUEL SCHROCK disfigured Victim 4 by pulling on and cutting off Victim 4's beard hair. While assaulting Victim 4, other known persons covered his mouth so that he could not scream for help. At the same time, Victim 4's

wife screamed and attempted to leave the residence but was stopped and restrained by other known persons. Victim 4's wife reported experiencing physical pain while she was restrained and her mouth was covered by another woman's hand. After cutting off Victim 4's head and beard hair, another known person took approximately three pictures of Victim 4's disfigurement. Victim 4 asked EMANUEL SCHROCK about his promise that Victim 4 would be safe, EMANNUEL SCHROCK responded, "I guess I lied." Victim 4 and his wife were then permitted to leave the residence.

38. Victim 4 and his wife explained that they used to live in the Bergholz community until approximately 2005. Victim 4 and his wife were one of the families excommunicated by SAMUEL MULLET, SR. Victim 4 and his wife attended the Church leader gathering in Ulysses, Pennsylvania in 2005. Victim 4 and his wife were one of the families whose excommunication was overturned by the Bishop committee.

39. In an October 7, 2011 news story, wkyc.com published video coverage of SAMUEL MULLET, SR. talking about the head and beard hair cutting incidents. SAMUEL MULLET, SR. responded, "It's all religion. That's why we can't figure out why the sheriff has his nose in it. It started with us excommunicating members that weren't listening or obeying the laws. That's where it all started."

40. On October 10, 2011, the Associated Press published statements attributed to SAMUEL MULLET, SR., including the following: (a) the goal of the hair-cutting was to send a message to Amish in Holmes County that they should be ashamed of themselves for the way they were treating SAMUEL MULLET, SR. and his community; and (b) he should be allowed to punish people who break the laws of the church, just as police are allowed to punish people who break the laws of the state,

"You have your laws on the road and the town -- if somebody doesn't obey them, you punish the people? But I'm not allowed to punish the church people? I just let them run over me? If every family would do just as they pleased what kind of church would we have?"

41. In an October 12, 2011 news story, wkyc.com published video coverage of Levi Miller's arrest at the Jefferson County Jail for charges related to the beard and hair cuttings in Holmes County. Levi Miller was asked, "Were you following community orders?" Levi Miller responded, "Yes, I guess I was".

CONCLUSION

For the above-stated reasons, I respectfully request that a Criminal Complaint charging SAMUEL MULLET, SR., JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S. MULLET, LEVI F. MILLER, ELI M. MILLER and EMANUEL SCHROCK with conspiring to commit an offense against the United States, to wit, conspiring to violate the Hate Crimes Prevention Act codified in 18 U.S.C § 249, in violation of 18 U.S.C. § 371, and violating the federal Hate Crimes Prevention Act, in violation of 18 U.S.C. §§ 249 and 2, be accepted by this Court, and that this Court issue arrest warrants for SAMUEL MULLET, SR., JOHNNY S. MULLET, DANIEL S. MULLET, LESTER S.

MULLET, LEVI F. MILLER, ELI M. MILLER and EMANUEL SCHROCK .

Michael S. Sirohman
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me this 22nd day of November, 2011.

UNITED STATES MAGISTRATE JUDGE