

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
JUN 28 2017	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>Kem</u> M DEPUTY	

REDACTED FOR
PUBLIC DISCLOSURE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,

vs.

Eric Scott Kindley,
Defendant.

CR-17-08147-PCT-DLR (ESW)

INDICTMENT

VIO: 18 U.S.C. §242
(Deprivation of Rights Under Color
of Law)
Counts One and Two

18 U.S.C. §924(c)(1)(A)
(Possession of a Firearm in
Furtherance of a Crime of Violence)
Count Three

THE GRAND JURY CHARGES:

General Allegations

The Grand Jury charges that at all times relevant to this Indictment:

1. Defendant ERIC SCOTT KINDLEY operated Special Operations Group 6, LLC, doing business as Special Operations Group, and worked as a prison transport officer.
2. Local jails and prisons throughout the United States hired defendant ERIC SCOTT KINDLEY to transport inmates who were arrested on out-state-warrants.
3. Defendant ERIC SCOTT KINDLEY transported these inmates back to the jurisdictions that initially issued the warrants.

1 4. Defendant ERIC SCOTT KINDLEY, by virtue of being hired by local jails and
2 prisons, was required to act in compliance with federal, state and local laws,
3 including the United States Constitution.

4
5 5. S.H. was a female pretrial detainee, pending resolution of her charges, and was
6 transported from Marin County, California to Apache County, Arizona by defendant
7 ERIC SCOTT KINDLEY while he was acting in his capacity as a prison transport
8 officer.

9
10 6. Paragraphs One through Five are incorporated by reference in the counts below.

11 **COUNT ONE**

12 7. On or about January 26, 2017, in the District of Arizona, defendant, ERIC SCOTT
13 KINDLEY, while acting under the color of law, did digitally penetrate S.H.'s vagina
14 against her will, thereby willfully depriving S.H. of liberty without due process of
15 law, which includes the right to bodily integrity, a right secured and protected by
16 the Constitution and laws of the United States. This act included aggravated sexual
17 abuse, as defined in Title 18, United States Code, Section 2241, and the use of a
18 dangerous weapon.

19
20
21
22 In violation of Title 18, United States Code, Section 242.

23 **COUNT TWO**

24 8. On or about January 26, 2017, in the District of Arizona, defendant, ERIC SCOTT
25 KINDLEY, while acting under the color of law, did force S.H.'s mouth to have
26 contact with his penis against her will, thereby willfully depriving S.H. of liberty
27
28

1 without due process of law, which includes the right to bodily integrity, a right
2 secured and protected by the Constitution and laws of the United States. This act
3 included aggravated sexual abuse, as defined in Title 18, United States Code,
4 Section 2241, and the use of a dangerous weapon.
5

6 In violation of Title 18, United States Code, Section 242.

7
8 **COUNT THREE**

9 9. On or about January 26, 2017, in the District of Arizona, defendant, ERIC SCOTT
10 KINDLEY, did knowingly possess a firearm in furtherance of a crime of violence
11 for which he may be prosecuted in a court of the United States, that is, the willful
12 deprivation of S.H's right to bodily integrity under color of law, including
13 aggravated sexual abuse, as alleged in Counts One and Two.
14

15 In violation of Title 18, United States Code, Section 924(c)(1)(A).
16

17 A TRUE BILL

18 /s/

19 FOREPERSON OF THE GRAND JURY

20 Date: June 28, 2017

21 ELIZABETH A. STRANGE
22 Acting United States Attorney

/s/

23 _____
24 Abbie Broughton Marsh
25 Assistant United States Attorney
26
27
28

1 T.E. WHEELER, II
2 Acting Assistant Attorney General
3 Civil Rights Division, U.S. Department of Justice
4 /s/

4 FARA GOLD
5 Special Litigation Counsel
6 Criminal Section, Civil Rights Division
7 /s/

7 MAURA WHITE
8 Trial Attorney
9 Criminal Section, Civil Rights Division

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28