

ORIGINAL

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U.S. COURTS

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Rcvd. _____ Filed _____ Time _____
STEPHEN W. KENYON
CLERK, DISTRICT OF IDAHO

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH ALAN HOADLEY,

Defendant.

Case No. 1:22-cr-00056-SWS

SECOND SUPERSEDING INDICTMENT

18 U.S.C. § 2
18 U.S.C. § 242
18 U.S.C. § 1519
18 U.S.C. § 1512

The Grand Jury charges:

INTRODUCTION

At times relevant to this Second Superseding Indictment:

1. Defendant JOSEPH ALAN HOADLEY was employed as an officer of the Caldwell City Police Department (CPD).

COUNT 1

**(Deprivation of Rights Under Color of Law)
18 U.S.C. § 242**

On or about March 30, 2017, in the District of Idaho, the defendant, JOSEPH ALAN HOADLEY, while acting under color of law as a ranking Lieutenant and Police Officer with the

Caldwell City Police Department, willfully deprived arrestee B.H. of the right, secured and protected by the Constitution and laws of the United States, to be free from unreasonable seizures, which includes the right to be free from a law enforcement officer's use of unreasonable force during an arrest. Specifically, JOSEPH ALAN HOADLEY, without legal justification, used his hand and arm to strike B.H.'s head and neck area while B.H. was handcuffed. The offense resulted in bodily injury to B.H.

All in violation of Title 18, United States Code, Section 242.

COUNT 2
(Destruction, Alteration, or Falsification of Records in Federal Investigations)
18 U.S.C. § 1519

On or about March 30, 2017, in the District of Idaho, the defendant, JOSEPH ALAN HOADLEY, acting in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly falsified and made a false entry in a record and document, with the intent to impede, obstruct, and influence the investigation and proper administration of that matter. Specifically, Defendant HOADLEY wrote a narrative report as part of his Caldwell Police Department Report Supplement. That form and narrative report were false in that they: (1) stated that B.H. was attempting to escape; (2) omitted any reference to the fact that Defendant HOADLEY struck B.H.'s head and neck area with his hand and arm; and (3) implied that any force used by Defendant HOADLEY against B.H. was necessary to effectuate the arrest of B.H. and to ensure officer safety. The form and narrative report were false because, as Defendant HOADLEY then well knew: (1) after B.H. said something to Defendant HOADLEY, Defendant HOADLEY intentionally used his hand and arm to strike B.H.'s head and neck area and did not "use[] [his] left hand to force [B.H.] to the ground by his shirt collar."

All of which is a violation of Title 18, United States Code, Section 1519.

COUNT 3
(Tampering With a Witness by Harassment)
18 U.S.C. § 1512(d)(2); 18 U.S.C. § 2

On or about June 29, 2021, in the District of Idaho, JOSEPH ALAN HOADLEY, intentionally harassed another person—namely, an individual herein by the initials C.H.—and thereby attempted to hinder, delay, and dissuade C.H. from reporting to a law enforcement officer a federal offense, namely deprivation of arrestees’ right, secured and protected by the Constitution and laws of the United States, to be free from unreasonable seizures, which includes the right to be free from a law enforcement officer’s use of unreasonable force.

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

COUNT 4
(Tampering with Documents)
18 U.S.C. § 1512(c)(1)

On or about April 20, 2022, in the District of Idaho, the defendant, JOSEPH ALAN HOADLEY, did corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempted to do so, with the intent to impair its integrity and availability for use in an official proceeding(s)—namely, *United States v. Hoadley*, Case No. 1:22-CR-56, a matter pending before the U.S. District Court for the District of Idaho; and two matters pending before the grand jury.

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

Dated this 9th day of August.

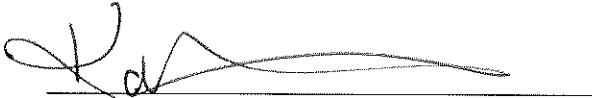
A TRUE BILL

/s/ [signature on reverse]

Foreperson

JOSHUA D. HURWIT
UNITED STATES ATTORNEY

By:



KATHERINE L. HORWITZ
Assistant United States Attorney