

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN.

JUL 12 2021

UNITED STATES OF AMERICA

v.

MICHAEL HARVEL

No.

2:21-00065

18 U.S.C. § 242

18 U.S.C. § 1201(a)

DT
DEPUTY CLERK

INDICTMENT

THE GRAND JURY CHARGES:

At all times material to this Indictment:

Introduction

1. **MICHAEL HARVEL** was an employee of Cumberland County, Tennessee, where he worked as the Director of the Cumberland County Solid Waste Department.
2. **MICHAEL HARVEL**'s office was located in the Cumberland County Recycling Center (hereinafter "Recycling Center") in Crossville, Tennessee.
3. As part of his official duties with Cumberland County, **MICHAEL HARVEL** supervised workers at the Recycling Center, its satellite locations, and several nearby county landfills.
4. During his tenure, **MICHAEL HARVEL** supervised dozens of women who served their community service time at the Recycling Center and/or worked there as paid employees.
5. From approximately 2015 – 2018, the women **MICHAEL HARVEL** supervised at the Recycling Center included: Victim 1, Victim 2, Victim 3, Victim 4, Victim 5, Victim 6, and Victim 7.

Paragraphs 1-5 are hereby incorporated by reference into the counts set forth below.

COUNT ONE

In or around July 2017, in the Middle District of Tennessee, **MICHAEL HARVEL**, while acting under color of law, willfully deprived Victim 1, a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to bodily integrity. Specifically, **MICHAEL HARVEL** confined Victim 1 in a locked room at a county facility and, against her will, physically pushed her onto a table, fondled her breasts, and forced her to touch his genitals. The offense resulted in bodily injury to Victim 1 and included kidnapping.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES:

In or around November 2015, in the Middle District of Tennessee, **MICHAEL HARVEL**, while acting under color of law, willfully deprived Victim 2, a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to bodily integrity. Specifically, **MICHAEL HARVEL** approached Victim 2 in a dark office and, against her will, physically pushed her onto a desk and penetrated her vagina with his penis. The offense included aggravated sexual abuse.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES:

In or around December 2015, in the Middle District of Tennessee, **MICHAEL HARVEL**, while acting under color of law, willfully deprived Victim 2, a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to bodily integrity. Specifically, **MICHAEL HARVEL** picked up Victim 2 in his truck under the false pretense that he needed help with an official county work project, drove her to an isolated landfill, and, against her will, penetrated her vagina with his penis. The offense included kidnapping.

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

COUNT FOUR

THE GRAND JURY FURTHER CHARGES:

In or around December 2015, in the Middle District of Tennessee, **MICHAEL HARVEL**, seized, confined, inveigled, kidnapped, abducted, and carried away and held Victim 2, a person known to the Grand Jury, for a reward and otherwise, and used an instrumentality of interstate commerce in committing and in furtherance of the offense. Specifically, **MICHAEL HARVEL** picked up Victim 2 in his truck under false pretenses and drove her to an isolated landfill for the purpose of sexually assaulting her.

All in violation of Title 18, United States Code, Section 1201.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES:

In or around July 2017, in the Middle District of Tennessee, **MICHAEL HARVEL**, while acting under color of law, willfully deprived Victim 3, a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to bodily integrity. Specifically, **MICHAEL HARVEL** approached Victim 3 at the Recycling Center and, against her will, forced his hands under her clothing and fondled her breasts and put his hands down her pants.

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

COUNT SIX

THE GRAND JURY FURTHER CHARGES:

In or around December 2017, in the Middle District of Tennessee, **MICHAEL HARVEL**, while acting under color of law, willfully deprived Victim 4, a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to bodily integrity. Specifically, **MICHAEL HARVEL** approached Victim 4 at the Recycling Center and, against her will, fondled her breasts under her clothing, forced his hands down her pants, and fondled her buttocks and the outside of her vagina.

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

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES:

In or around March 2017, in the Middle District of Tennessee, **MICHAEL HARVEL**, while acting under color of law, willfully deprived Victim 5, a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to bodily integrity. Specifically, **MICHAEL HARVEL** approached Victim 5 at the Recycling Center and, against her will, fondled her breasts over her clothing and pulled down her pants, exposing her naked buttocks and vagina.

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

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES:

In or around December 2017, in the Middle District of Tennessee, **MICHAEL HARVEL**, while acting under color of law, willfully deprived Victim 6, a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to bodily integrity. Specifically, **MICHAEL HARVEL** approached Victim 6 at the Recycling Center and, against her will, forced his hands between her legs and rubbed her vagina over her clothes.

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

COUNT NINE

THE GRAND JURY FURTHER CHARGES:

In or around December 2017, in the Middle District of Tennessee, **MICHAEL HARVEL**, while acting under color of law, willfully deprived Victim 7, a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to bodily integrity. Specifically, **MICHAEL HARVEL** called Victim 7 to his office at the Recycling Center and, against her will, forced his hands down her pants and groped her buttocks.

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

A TRUE BILL

[REDACTED]

GRAND JURY FOR THE PERSON

MARY JANE STEWART
ACTING UNITED STATES ATTORNEY

Sara Beth Myers


SARA BETH MYERS
ASSISTANT UNITED STATES ATTORNEY

Michael J. Songer w/ power SAM

MICHAEL J. SONGER
TRIAL ATTORNEY
CIVIL RIGHTS DIVISION

CRIMINAL COVER SHEET
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Indictment	(X)
Complaint	()
Information	()
Felony	()
Misdemeanor	()
Juvenile	()

County of Offense: Cumberland
AUSA's NAME: Sara Beth Myers/Michael Songer
Reviewed by AUSA: 
(Initials)

MICHAEL HARVEL
Defendant's Full Name

Defendant's Address

Defendant's Attorney

Interpreter Needed? Yes No

If Yes, what language? _____

COUNT(S)	TITLE/SECTION	OFFENSE CHARGED	MAX. PRISON (plus any mandatory minimum)	MAX. FINE
1 and 3	18 U.S.C. § 242	Violation of Rights Under Color of Law (Felony: Kidnapping and Bodily Injury)	10 yrs for bodily injury/ Life for kidnapping	\$250,000
2	18 U.S.C. § 242	Violation of Rights Under Color of Law (Felony: Aggravated Sexual Abuse)	Life	\$250,000
4	18 U.S.C. § 1201(a)	Kidnapping	Life	\$250,000
5-9	18 U.S.C. § 242	Violation of Rights Under Color of Law (Misdemeanor)	1	\$100,000

*If the defendant is found to be an Armed Career Criminal, pursuant to 18 U.S.C. § 924(e), defendant will be subject to a term of imprisonment of between 15 years to life.

****A charge pursuant to 8 U.S.C. § 1326, may carry a maximum sentence of one of the following: (1) up to 2 years; (2) up to 10 years; or (3) up to 20 years, depending upon a defendant's criminal and removal history.**

Is the defendant currently in custody? Yes () No (X) If yes, State or Federal? Writ requested ()

Has a complaint been filed? Yes () No (X)

If Yes: Name of the Magistrate Judge _____ Case No.: _____

Was the defendant arrested on the complaint? Yes () No ()

Has a search warrant been issued? Yes () No (X)
If Yes: Name of the Magistrate Judge _____ Case No.: _____

Was bond set by Magistrate/District Judge? Yes () No (X) Amount of bond: _____

Is this a Rule 20? Yes () No (X) To/from what district? _____
Is this a Rule 40? Yes () No (X) To/from what district? _____

Estimated trial time: _____

The Clerk will issue a Summons/Warrant (circle one) (Note: If information, request for a warrant requires presentment of a sworn affidavit of probable cause to a judicial officer, who will determine whether to issue a warrant)

Detention requested: Yes (X) No () Recommended conditions of release: _____