

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FILED
JAN 18 2023
CLERK, U. S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 8:23 cr 25 VMC-AEP

CALEB HUNTER FREESTONE
AMBER MARIE SMITH-STEWART

18 U.S.C. § 241
18 U.S.C. § 248(a)(1)
18 U.S.C. § 248(a)(3)

INDICTMENT

The Grand Jury charges:

~~SEALED~~

COUNT ONE
(Conspiracy Against Rights)

A. The Conspiracy

From a date unknown, but at least from in or around May 2022 and continuing through on or about July 3, 2022, in the Middle District of Florida, and elsewhere, the defendants,

CALEB HUNTER FREESTONE, and
AMBER MARIE SMITH-STEWART,

did willfully combine, conspire, and agree with one another, and with other persons known and unknown to the Grand Jury, to injure, oppress, threaten, and intimidate employees of facilities providing reproductive health services in the free exercise and enjoyment of the rights and privileges secured to them by the laws of the United States, namely, the right to provide reproductive health services as provided by Title 18, United States Code, Section 248(c)(1), in violation of Title 18, United States

~~SEALED~~

Code, Section 241.

B. Plan and Purpose of the Conspiracy

The plan and purpose of the conspiracy was to attack reproductive health services facilities that provide abortion alternatives by spray painting threats of force and other intimidating messages on the property of the facilities, in order to injure, oppress, threaten, and intimidate the employees of those facilities in their ability to provide reproductive health services.

C. The Manner and Means of the Conspiracy

The manner and means by which the conspirators sought to accomplish the objects of the conspiracy included, among other things, the following:

a. It was part of the conspiracy that FREESTONE, SMITH-STEWART, and the conspirators would and did target reproductive health facilities that provide abortion alternatives including counselling, pregnancy testing, ultrasound examinations, and referral services relating to the human reproductive system.

b. It was further part of the conspiracy that FREESTONE, SMITH-STEWART, and the conspirators would and did wear disguises such as masks, hats, and gloves while attacking the targeted reproductive health facilities.

c. It was further part of the conspiracy that on or about May 28, 2022, FREESTONE, SMITH-STEWART, and conspirators travelled to Hollywood, Florida, and damaged and destroyed the property of Facility A by spray painting threats including “If abortions aren’t SAFE then niether [sic] are you.” Facility A is

an affiliate of the Archdiocese of Miami Ministry. Facility A offers free counselling, pregnancy testing, and ultrasound examinations.

d. It was further part of the conspiracy that on or about June 26, 2022, FREESTONE, SMITH-STEWART, and conspirators travelled to Winter Haven, Florida, and damaged and destroyed the property of Facility B by spray painting threats including “YOUR TIME IS UP!!” WE’RE COMING for U” and “We are everywhere.” Facility B offers free counselling, pregnancy testing, and ultrasound examinations.

e. It was further part of the conspiracy that on or about July 3, 2022, FREESTONE and conspirators travelled to Hialeah, Florida, and damaged and destroyed the property of Facility C by spray painting threats including “If abortions aren’t safe the [sic] neither are you.” Facility C offers free counselling, pregnancy testing, and ultrasound examinations.

All in violation of 18 U.S.C. § 241.

COUNT TWO
(Freedom of Access to Clinic Entrances)

On or about June 26, 2022, in the Middle District of Florida, and elsewhere,
the defendants,

CALEB HUNTER FREESTONE, and
AMBER MARIE SMITH-STEWART,

aiding and abetting one another and other persons known and unknown to the
Grand Jury, did by threat of force intentionally injure, intimidate, and interfere with,
and attempt to injure, intimidate, and interfere with employees of Facility B, because
the employees were providing and seeking to provide reproductive health services.
Specifically, FREESTONE and SMITH-STEWART spray painted threats of force
on the Facility B building.

In violation of 18 U.S.C. §§ 248(a)(1) and 2.

COUNT THREE
(Freedom of Access to Clinic Entrances)

On or about June 26, 2022, in the Middle District of Florida, and elsewhere,
the defendants,

CALEB HUNTER FREESTONE, and
AMBER MARIE SMITH-STEWART,

aiding and abetting one another and other persons known and unknown to the
Grand Jury, did intentionally damage and destroy the property of the Facility B, a
facility that provides reproductive health services because the facility provides
reproductive health services. Specifically, FREESTONE and SMITH-STEWART,

aided and abetted by one another and other persons known and unknown to the Grand Jury, defaced Facility B by spray painting the facility.

In violation of 18 U.S.C. § 248(a)(3) and 2.

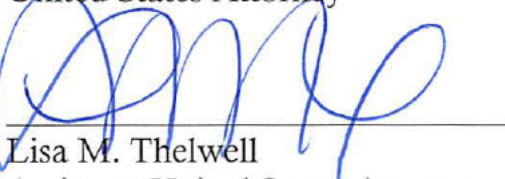
A TRUE BILL,



Foreperson

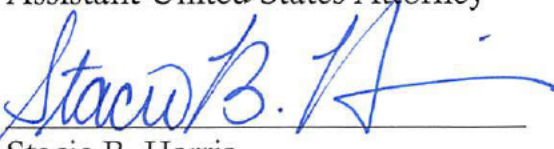
ROGER B. HANDBERG
United States Attorney

By:



Lisa M. Thelwell
Assistant United States Attorney

By:



Stacie B. Harris
Assistant United States Attorney
Chief, Special Victims Section

By:



Laura-Kate Bernstein
Trial Attorney
Civil Rights Division

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

CALEB HUNTER FREESTONE
AMBER MARIE SMITH-STEWART

INDICTMENT

Violations: 18 U.S.C. § 241
18 U.S.C. §§ 248(a)(1) and 2
18 U.S.C. § 248(a)(3) and 2

A true bill



Foreperson

Filed in open court this 18th day
of January, 2023.

Clerk

Bail \$ _____
