

## Office of STATE'S ATTORNEY FOR WASHINGTON COUNTY Washington County Office Building 33 West Washington Street, Room 302 Hagerstown, Maryland 21740-4888 P: 240.313.2000 | F: 240.313.2001 | TDD: 711

Charles P. Strong State's Attorney

Joseph S. Michael Deputy State's Attorney

Regina M. Cirincion Deputy State's Attorney

March 10, 2020

Chairperson Luke H. Clippinger & Judiciary Committee Members House Office Building 6 Bladen Street Annapolis, Maryland

Submitted by Hand

RE: Written testimony in support of HB1497

Dear Chairperson Clippinger and Committee Members:

Email: sao@washco-md.net

I submit this testimony in support of HB1497. I have been a Maryland prosecutor for 27 years. I attach the charging document for State v. Jason Henry Cochrane, the case that reminded me of the need for this legislation.

The question is a simple one: should committing one of the enumerated crimes of rape, sex offense, or child abuse carry a more serious punishment when the perpetrator places the victim at physical risk of HIV infection and at the mental and emotional risk of worrying about being infected and infecting others with whom the victim may later share intimate relations? The answer is equally simple: yes. Just as our laws recognize that committing crimes of violence with a gun are more serious than other crimes of violence because the risk of a grievous outcome is higher, so should this crime carry a more serious and separate penalty.

I do not suggest this because HB1497 would carry any real deterrent effect, because the perpetrators of these heinous crimes are not deterred by penalties. I suggest that this bill is appropriate because as a prosecutor, the law needs to answer victims and their loved ones when they ask: "isn't there a law against that?" and "doesn't exposing me to HIV carry a more severe penalty than just brutalizing me physically and emotionally?"

Any person can be the victim of sexual violence, but in my experience these crimes are more frequently perpetrated against the young, the old, the disabled, the weak, and especially our incarcerated population (which have a 5 to 7 times higher rate of HIV infection than the general population $^{1}$ ).

Please answer these victims with your support of HB1497.

Sincerely,

Joseph S. Michael

Deputy State's Attorney

<sup>&</sup>lt;sup>1</sup> https://www.hivlawandpolicy.org/issues/prisons-and-jails

DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY  LOCATED AL (COURT ADDRESS)  36 WEST ANTIETAM STREET  HAGERSTOWN MD 21740  DISTRICT COURT CASE NUMBER  RELATED CASE NRP-19-018	51:5: 524 - NRP AREA
6 : 5 36 WEST ANTIELAW STREET CASE NUMBER	
HAGERSTOWN WID 21740	
To the first of the second sec	
DEFENDANT'S NAME (LAST, FIRST, MT)	
COCHRANE, JASON	
COMPLAINANT DEFENDANT	7171 P
NAME (LAST, FIRST M.L.)  BREAKALL, OFC  NAME (LAST, FIRST M.L.)  COCHRANE, JASON HENRY	THE
AGENCY SUB-AGENCY TD NO (POLICE) MAFIS NAME (LAST, FIRST, M.1.)  NRP 1002 1683	TOTLE
WORK TELEPHONE   ID.NO   RACE   SEX   HT   WT   DOB, (MM/CE)   (240) 291-1424   (240) 291-1424   131193   W   M   5'10   200   07/27/1976	
ADDRESS APT NO CC/OCA HAIR EYES OTHER DESCRIPTION BRO BRO	
CITY STATE ZIP CODE DRIVERS LICENSE # ST	TATE D
WORK TELEPHONE HOME TEL	EPHONE
DOMESTIC VIOLENCE HATE CRIME ()-	APT. NO.
□ VULNERABLE ADULT ABUSE □ CHILD ABUSE 404 SADDLEBROOKE CT	NIP CODE
Tage 101	108
I IS FORMALLY CHARGED THAT THE DEFENDANT	Participal C
CDISCODE AR ON OR ABOUT (DATE) AT (PLACE)  1 1-1415 09/28/19 ***APP TRAIL/PINE KNOB SHELTER WASHINGTON C	o. MD.
did assault AUSTIN NATHANIEL SMITH in the second degree in violation of CR 3-203, contrary to	the
form of the act of the assembly in such case made and provided and against the peace, governm	ment,
and dignity of the state.	
IN VIOLATION OF.	ABLE CAUSE
X MD ANN CODE ART CR SEC 3.203 : ☐ COMMON LAW OF MD: PUB LOCAL LAW ART SEC Y AGAINST THE PEACE, COMMISSIONER INITIAL	
GOVERNMENT AND  COMAR OR AGENCY CODE NO : ORDINANCE NO : DIGNITY OF THE STATE	
CDS CODE   AR	o. MD
did unlawfully commit a rape in the second degree upon AUSTIN NATHANIEL SMITH, in violat	ion of
CR 3-304 of the Annotated Code of Maryland.	
IN VIOLATION OF:  PROBA	ABLE CAUSE
MD ANN CODE ART CR SEC. 3-304 ☐ COMMON LAW OF MD: ; ☐ PUB LOCAL LAW ART SEC. ☐ Y	_ N
AGAINST THE PEACE, COMMISSIONER INITIAL GOVERNMENT AND DIGNITY OF THE STATE	S ID NO

| ISOLEMNLY AFTERM UNDER THE PENALTIES OF PERGERY THAT THE MATTERS AND FACTS SET FOR THE THE FOREGOING DOCUMENT AND FREE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND RECET DATE | ISSUING PEACE OFFICER | O9/28/2019 | AGERCY | SUB-AGENCY | TD NO NRP | 1002 | 1683 | DC-CR-002 (Rev. 04/2017)



Report Run On Wednesday, November 27, 2019 By D. Breakall

CONTINUED ON ATTACHED SHEET (FORM DC-CR-002A)

# DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY



LOCATED AT (COURT ADDRESS)
36 WEST ANTIETAM STREET

DISTRICT COURT CASE NUMBER

-- NRP-19-01524 -- NRP AREA 7

\$3.50	HAGERSTOWN	D 21740					
EFENDANT	r'S NAME (LAST, FIRST,	M.I )		MAFIS NAME			D O.B
сосн	RANE, JASON H	<b>IENRY</b>					07/27/1976
		STATEMENT OF CH	HARGES (	CONTINUED)		Page 2	of 5
IS FORMA	LLY CHARGED THAT T		······································				
3 CJIS C	CODE AR		T (PLACE)	AIL/PINE KNOB	SHELTER	WASHTNG	ron co. MD
3-30							
		sexual offense in the			SITIN IVAI	HANTEL SI	11111 111
iolatio	on of CR 3-307 o	f the Annotated Code o	f Maryla	nd.			
VIOLATION							— (=1
MD ANN.	CODE, ART. GR SEC 3-30	; LCOMMON LAW OF MD:	,	LOCAL LAW, ART.	SEC	PROBABLE	CAUSE Y N
	NI LORDION GODE NO	: ORDINANCE NO.	(2	GAINST THE PEACE, OVERNMENT AND	COMMISSIO	NED INITIAL C	ID NO
COMARC	OR AGENCY CODE NO	;LJ ORDINANCE NO.		IGNITY OF THE STATE	COMMISSIO	NEK INITIALA	10110
	CODE AR	ON OR ABOUT (DATE)	AT (PLACE)				sou se mo
4 4-3				AIL/PINE KNOB			ron co. Mu
did €	engage in sexual	contact with AUSTIN N	IATHANIEL	SMITH withou	t his co	nsent.	
		Anada Alexandra					
N VIOLATIO	N OF						
		OR : COMMON LAW OF MD:	:□PUE	LOCAL LAW ART	SEC.	PROBABLE	CAUSE Y Y
				GAINST THE PEACE, OVERNMENT AND			
_COMAR O	R AGENCY CODE NO.	; ORDINANCE NO.		IGNITY OF THE STATE	COMMISSIO	HER INITIALS.	ID NO
	CODE AR	ON OR ABOUT (DATE)	AT (PLACE)				mn
5 1-0				AIL/PINE KNOB			
did	cause sexual ab	use to AUSTIN NATHANIE	L SMITH,	a minor, the	defenda	nt JASON	HENRY
OCHRANE	E 2. having temp	orary care/custody/res	ponsibil	ity for the s	upervisi	on of sa	id child.
***************************************							
		1.014.11.11.11.11.11.11.11.11.11.11.11.11.1					
N VIOLATIO	N OF:						
	CODE, ART CR SEC 3-6	D2(; COMMON LAW OF MD:	:FDpUI	B. LOCAL LAW ART	SEC	PROBABLE	CAUSE Y P
ZIMD AIMS	eob, Act see	COMMON TANK OF MIS.	Λ	GARIST THE PEACE,	Γ		
COMAR O	R AGENCY CODE NO.	ORDINANCE HO		OVERNMENT AND IGNITY OF THE STATE	COMMISSIC	NER INTIALS	JD NO
ZT		20 P. L. C. P. G. W. L. C.			8		
	JED ON ATTACHED SHEET AFFIRM UNDER THE PENA	(FORM DC-CR-002A) LTIES OF PERJURY THAT THE MATTE	RS				
AND FACTS S	ET FORTH IN THE FOREGO	ING DOCUMENT ARE TRUE TO THE BI		TRACKI	NG NUMBE	٠	
DATI	LEDGE, INFORMATION AN ISSUING PEACE OF			1990	00010134		
09/28/20	19	fiff !	werus.	[		H (() # H) # 1 61 H () # H	EI II E E
AGENCY	SUILAGERO		10000				
NRP	1002	1683	1		1811 BB    BB    1	(A))  88 8    8   88	BS HERBU HISH BIRT IVE

DC-CR-002A (Rev. 04/2017)

1002

1683

### DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

NRP-19-01524 - NRP AF

(City/County)



LOCATED AT (COURT ADDRESS)
36 WEST ANTIETAM STREET

**HAGERSTOWN MD 21740** 

DISTRICT COURT
CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.L.) MAFIS NAME D.O.B COCHRANE, JASON HENRY 07/27/1976 STATEMENT OF CHARGES (CONTINUED) Page 3 5 IT IS FORMALLY CHARGED THAT THE DEFENDANT CJIS CODE 1-1118 ON OR ABOUT (DATE) 09/28/19 AT(PLACE)
\*\*\*APP TRAIL/PINE KNOB SHELTER WASHINGTON CO. M. ... did unlawfully distribute to AUSTIN NATHANIEL SMITH a controlled dangerous substance of Schedule II, to wit: METHAMPHETAMINE, a narcotic drug. IN VIOLATION OF: MD ANN CODE, ART CR SEC. 5-602 COMMON LAW OF MD: : PUB. LOCAL LAW. ART. PROBABLE CAUSE 🔲 Y 🔲 N AGAINST THE PEACE, COMAR OR AGENCY CODE NO GOVERNMENT AND : ORDINANCE NO. ; DIGNITY OF THE STATE COMMISSIONER INITIALS CHS CODE ON OR ABOUT (DATE) AT (PLACE) \*\*\*APP TRAIL/PINE KNOB SHELTER WASHINGTON CO. MD 09/28/19 did possess a controlled dangerous substance of Schedule II, to wit: METHAMPHETAMINE. IN VIOLATION OF: MD ANN CODE, ART CR SEC. 5-601(; COMMON LAW OF MD: PROBABLE CAUSE Y N PUB LOCAL LAW ART AGAINST THE PEACE, GOVERNMENT AND COMAR OR AGENCY CODE NO. ORDINANCE NO. DIGNITY OF THE STATE COMMISSIONER INITIALS CJIS CODE ON OR ABOUT (DATE) AT (PLACE) 09/28/19 \*\*\*APP TRAIL/PINE KNOB SHELTER WASHINGTON CO. MD. ... did administer to AUSTIN NATHANIEL SMITH a controlled dangerous substance of schedule II, to wit: METHAMPHETAMINE. IN VIOLATION OF: MD ANN.CODE, ART CR SEC 5-601; COMMON LAW OF MO: ; PUB. LOCAL LAW, ART SEC PROBABLE CAUSE Y N AGAINST THE PEACE. GOVERNMENT AND COMAR OR AGENCY CODE NO. ORDINANCE NO. COMMISSIONER INITIALS JD NO DIGNITY OF THE STATE X CONTINUED ON ATTACHED SHEET (FORM DC-CR-002A) I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE MATTERS AND FACTS SET FORTH IN THE FOREGOING DOCUMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF TRACKING NUMBER ISSUING PEACE OFFICER 199000010134 09/28/2019

10 80

1683

DC-CR-002A (Rev. 04/2017)

SUB-AGENCY

1002

AGENCY



NRP-19-01524 - NRP AREA 7



DISTRICT COURT OF MARYLAND FOR

LOCATED AT (COURT ADDRESS)
36 WEST ANTIETAM STREET

WASHINGTON COUNTY

DISTRICT
CASE NO.

DISTRICT COURT CASE NUMBER

(City/County)

CESTE	HAGERSTOWN MD	21740			1	
	'S NAME (LAST FIRST M. RANE, JASON HE			MAELS NAME		0.0.R 07/27/1976
						0//2//19/0
LC 16 EXXIDATA	I V CILL DOWN CO.	STATEMENT OF CHA	RGES (	CONTINUED)	Page4	of <u>5</u>
Q CJIS C	LLY CHARGED THAT THE		DI ACEN			
1-02	255	09/28/19 ***	APP TRA	AIL/PINE KNOB SHE	LTER/WASHING	TON CO. MD
did p	osses controlled	paraphernalia to wit:H	IYPODER	MIC NEEDLE under	circumstance	s which
reasonab	le indicate an in	tention to use said co	ntroll	ed paraphernalia	for purposes	of
		controlled dangerous				
IN VIOLATION						
MD ANN C	ODE, ART CR SEC 5-620 ;	ICOMMON LAW OF MD;		LOCAL LAW ART SEC	C. PROBABLE	CAUSE Y N
COMAR O	R AGENCY CODE NO	: ORDINANCE NO,	G	GAINST THE PEACE, OVERNMENT AND GNITY OF THE STATE COMM	IISSIONER INITIALS	ID NO
10 CHS C 5-35	50	09/28/19 ***	PLACE) APP TRA	AIL/PINE KNOB SHEL	TER WASHINGT	ron co. MD.
did u	se drug parapherna	lia, to wit:GLASS PIP	E used	to inhale, introd	uce into the	human
		rous substance of Sch				
	OF: DIE, ART CR SEC 5-619(.[ AGENCY CODE NO.	COMMON LAW OF MD:	AG	LOCAL LAW ART SEC IAINST THE PEACE, IVERNMENT AND IMITY OF THE STATE COMM	111	CAUSE Y N
11 COIS C	ODE AR 25		LACE)	IL/PINE KNOB SHEL		ON CO. MP
did reck]	essly engage in c	onduct, to wit: ENGAG				
		G IT TO A MINOR that				
		AUSTIN NATHANIEL SMIT		a a substantial l	isk of death	or
IN VIOLATION	)I:-					
	DE, ART CR SEC 3-204(;	COMMON LAW OF MD:		LOCAL LAW ART SEC	PROBABLE C	AUSE Y N
COMAR OR A	AGENCY CODE NO.	; ORDINANCI; NO.	GO	AINST THE PEACE, VERNMENT AND INLLY OF THE STATE COMMI	SSIONER INITIALS _	ID NO
X CONTINUE	ON ATTACHED SHEET (FOR	1 DC-CR-002A)				
DVIE DE MA KNOMFI AND EVC 12 2EL	FORTH IN THE FOREGOING D BGF, INFORMATION AND BEI ISSUING PEACE OFFICER	OF PERJURY THAT THE MATTERS OCUMENT ARE TRUE TO THE DEST		TRACKING NUM 1990000101		
09/28/2019	SUB AGI SCY	SI SI			IIII 88111 88191 (1211 821-1	
NRP	1002	1683				
	CONTRACTOR OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COLUMN TWO	· · · · · · · · · · · · · · · · · · ·				arai (88)

DC-CR-002A (Rev. 04/2017)

NRP-19-01524 - NRP ARE/ (City/County)

DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS)
36 WEST ANTIETAM STREET

DISTRICT
CASE NO.

DISTRICT COURT CASE NUMBER

A. 12. 13	HAGERSTOWN M	D 21740		
	NT'S NAME (LAST, FIRST,		MAFIS NAME	D.O.B.
COCH	IRANE, JASON F	IENRY		07/27/1976
		STATEMENT OF CH	ARGES (CONTINUED)	Page 5 of 5
	IALLY CHARGED THAT TI			
12 C.II	S CODE AR <b>0238</b>	ON OR ABOUT (DATE) AT <b>09/28/19</b> **	(PLACE) *APP TRAIL/PINE KNOB SHELT	ER WASHINGTON CO. MD.
did, be	eing an adult, wil		ncourage, cause, and tend	
	- Initial Estate		nquent or in need of super	
	4 - 1			- Contract
			A CONTRACTOR OF THE CONTRACTOR	
IN VIOLATIO	ON OF: 4.CODE, ART GJ SEC. 3-8A-	Постительный	П	
	SEC. VA	; LICOMMON LAW OF MD:	; PUB LOCAL LAW ART SEC.	PROBABLE CAUSE Y N
COMAR	OR AGENCY CODE NO	; ORDINANCE NO.	GOVERNMENT AND DIGNITY OF THE STATE COMMISS	IONER INITIALS ID NO
1 CR	S CODE AR	ON OR ABOUT (DATE) AT	(PLACE)	
	3600	09/28/19 **	*APP TRAIL/PINE KNOB SHELTE	ER WASHINGTON CO. MD
did com	mit a certain unn	atural and perverted s	exual practice with AUSTIN	NATHANIEL SMITH.
IN VIOLATIO	ON OF: CODE, ART CR SEC. 3-322	Постини	[7]	PROBABLE CAUSE Y N
MIN ANN	TCODE, ART ON SEC. O'SE	:L_J COMMON LAW OF MD:	AGAINST THE PEACE,	PROBABLE CAUSEIYIN
COMAR	OR AGENCY CODE NO.	; ORDINANCE NO.	GOVERNMENT AND DIGNITY OF THE STATE COMMISS	ONER INITIALS ID NO
CJI:	S CODE AR	ON OR ABOUT (DATE) AT	(PLACE)	THE PERSON NAMED IN COLUMN TO THE PE
	***************************************			
		P. M. I. V.		HAP A MARK TO THE PARTY OF THE
	WI (W	Will street the latest the street to the str		
DITALIOIV NI	CODE, ART SEC	: COMMON LAW OF MD		
	and and and	; COMMONTAW OF MIT	AGAINST THE PEACE,	PROBABLE CAUSE Y N
COMAR C	DR AGENCY CODE NO.	ORĎINANCE NO.	GOVERNMENT AND COMMISSI	ONER INITIALS ID NO
		WWW.		
] солли	UED ON ATTACHED SHEET (F	ORM DC-CR-002A)		
AND FACES S	SET FORTH IN THE FOREGOIN	IES OF PERJURY THAT THE MATTERS G DOCUMENT ARE TBUE TO THE BEST		
DATE	VLEDGE, INFORMATION AND ISSUING PEACE OFFICE	BELIEF.	1990001013	
09/28/20		11/1		
AGENCY	SUB-AGENCY	1D NO		

DC-CR-002A (Rev. 04/2017)

1002

1683



## DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS) 36 WEST ANTIETAM STREET

HAGERSTOWN MD 21740

DISTRICT COURT
CASE NUMBER

RELATED CNSE 39-01524 - NRP A

### COCHRANE, JASON HENRY

COMPLAINANT			DEFENDANT						
NAME (LAST, FRIST, M.I)  BREAKALL, OFC			NAME (LAST, FIRST, M.I.) COCHRANE, JASON HENRY						
AGENCY SU	MAFIS NAME (LA	ST, FIRST, M	1)				TILLE		
	02	1683					,		
WORK TELEPHONE	****	HOME TELEPHONE	I.D. NO	RACE	SEX	HT	WT	D.O.B (MM	
(240) 291-1424	(24	40) 291-1424	131193	W	EYES	5'10		07/27/19	
ADDRESS		APT. NO.	CC/OCA	HAIR	BRO	100	HER DES	CRUTION	
***2011 MONUMENT RI	D		DRIVER'S LICENS		<u> </u>				STATE
CITY	STATE	ZIP CODE	C2653733035						MD
MYERSVILLE		MD 21773	WORK TELEPHO	NE		HOMI	E TELEP	HONE	
			( ) -			( )	-		
DOMESTIC VIOLE	NCE	HATE CRIME	ADDRESS						APT. NO
VULNERABLE ADI	ULT ABUSE	CHILD ABUSE	404 SADDLEE						
_		_	CITY		STATE		,	MD 2	ZIP COD
	Page 1 of 3		MYERSVILLE					VID Z	1100
ountain State Park p	roperty in Was	tely 0900 hours I Office I in the area of the Pi Shington County. The in:	ne Knob Shelter itial call was	located N	orth of	f Nati	ional F	ike on So	uth
ountain State Park pi eported by a hiker or s a Jason Henry Cochi athaniel Smith: 8752 heir zipped up campin ubjects to exit the consent was given by h ossession of a: hypoc ethamphetamine. Per o	roperty in Was n the trail for rane: 404 Sado Rice Road; Sh ng tent North tent. After to him verbally to dermic needle my training kn	I in the area of the Pinshington County. The instruction suspected CDS violated the back Court; Millers with pennsylvan of Pine Knob Shelter. Salking with Cochrane, to search cochrane's te, a glass pipe, and a benowledge and experience	ne Knob Shelter itial call was ion. On location ille, Maryland 2 ia 17257 (W/M DO I identified mys nt. The search r lack square plas as a certified	I was me I was me 1108 (W/M B: 11/15/ elf as a evealed i tic bag c police of	t by tw DOB:09 2007). police nside contains	F Nati	dividua 1976) a subjecter and chrane@ uspecte ediate]	like on So als identi and Austin ats were i at told bot as tent ad crystal	fied nside h
ountain State Park preported by a hiker or s a Jason Henry Cochrathaniel Smith: 8752 heir zipped up campir ubjects to exit the sonsent was given by lossession of a: hyporethamphetamine. Per of he hypodermic needle	roperty in Was n the trail for rane: 404 Sado Rice Road; Sh ng tent North tent. After to him verbally for dermic needle my training kn and glass pin	I in the area of the Pinshington County. The instruction suspected CDS violated leback Court; Millersvinippensburg, Pennsylvan of Pine Knob Shelter. Walking with Cochrane, to search cochrane's term, a glass pipe, and a b	ne Knob Shelter itial call was ion. On location ille, Maryland 2 ia 17257 (W/M DO I identified mys nt. The search r lack square plas as a certified a and the suspec	I was me I was me 1108 (W/M B: 11/15/ elf as a evealed i tic bag c police of	t by tw DOB:09 2007). police nside contains	F Nati	dividua 1976) a subjecter and chrane@ uspecte ediate]	like on So als identi and Austin ats were i at told bot as tent ad crystal	fied nside h
ountain State Park preported by a hiker or s a Jason Henry Cochrathaniel Smith: 8752 heir zipped up campir ubjects to exit the sonsent was given by lossession of a: hyporethamphetamine. Per of he hypodermic needle	roperty in Was n the trail for rane: 404 Sado Rice Road; Sh ng tent North tent. After to him verbally for dermic needle, my training kr and glass pip us substance.	I in the area of the Picshington County. The instruction of Suspected CDS violated the back Court; Millers with pension of Pine Knob Shelter. The backing with Cochrane, to search cochrane's te, a glass pipe, and a benowledge and experience of the backing with Cochrane and the backing with Cochrane's te, a glass pipe, and a benowledge and experience of the backing paraphernal after the search, Cochron CC/CR 4A)	ne Knob Shelter itial call was ion. On location ille, Maryland 2 ia 17257 (W/M DO I identified mys nt. The search r lack square plas as a certified a and the suspec	I was me 1108 (W/M B: 11/15/ elf as a evealed i tic bag c police of ted cryst	t by tw DOB:09 2007). police nside contains ficer I al meth	F Nations in the second of the second in the	dividua 1976) a subjecter and chrane@ uspecte ediatel	eike on So als identi and Austin ets were i d told bot es tent ed crystal by recogni	fied nside h
countain State Park prepared by a hiker or so a Jason Henry Cochinathaniel Smith: 8752 their zipped up campinubjects to exit the strongent was given by lossession of a: hypocethamphetamine. Per other he hypodermic needle I controlled dangeror CONTINUED ON ATTA	roperty in Was n the trail for ane: 404 Sado Rice Road; Sh ng tent North tent. After to the second t	I in the area of the Pinshington County. The instruction of Suspected CDS violated in the Suspected in the	ne Knob Shelter itial call was ion. On location ille, Maryland 2 ia 17257 (W/M DO I identified mys nt. The search r lack square plas as a certified a and the suspectane  PROBABLE CA	I was me 1108 (W/M B: 11/15/ elf as a evealed i tic bag c police of ted cryst CAUSE CHARG	t by tw DOB:09 2007). police nside contains ficer 1 al meth	F National Part of the Control of Court	dividua 1976) a subject cer and chrane@ uspecte ediatel etamine	als identi and Austin its were i i told bot de crystal by recogni e as a Sch	fied  nside h  zed edule
countain State Park preported by a hiker or s a Jason Henry Cochiathaniel Smith: 8752 heir zipped up campir ubjects to exit the stronger was given by lossession of a: hypocethamphetamine. Per of he hypodermic needle I controlled dangeror GONTINUED ON ATTA Go to "continued"	roperty in Was n the trail for ane: 404 Sado Rice Road; Sh ng tent North tent. After to the second t	I in the area of the Pinshington County. The instruction of Suspected CDS violated the back Court; Millers with presenting pennsylvan of Pine Knob Shelter. Salking with Cochrane, to search cochrane's te, a glass pipe, and a benowledge and experience be as drug paraphernali After the search, Coch FORM DC/CR 4A)	ne Knob Shelter itial call was ion. On location ille, Maryland 2 ia 17257 (W/M DO I identified mys nt. The search r lack square plas as a certified a and the suspec rane  PROBABLE CA  THERE THERE	I was me 1108 (W/M B: 11/15/ elf as a evealed i tic bag c police of ted cryst CAUSE CHARG	t by tw DOB:05 2007). police nside contains ficer 1 al methods GES# CAUSE TO DBLE CAUSE TO	F National Part of Color of Co	dividua  1976) a  subject  cer and  chrane  chrane  dispecte  ediate  etamine	als identi and Austin ats were i a told bot as tent ad crystal by recogni as a Sch	fied  nside h  zed edule

TRACKING NUMBER 199000010134 PC DC/CR 4 (Rev. 4/2002)

## DISTRICT COURT OF MARYLAND FOR ... WASHINGTON COUNTY

..... (City / County )

NRP-19-01524 - NRP ARE



LOCATED AT (COURT ADDRESS) 36 WEST ANTIETAM STREET HAGERSTOWN MD 21740

DISTRICT COURT CASE NUMBER

(a)		
DEFENDANT'S NAME (LAST, FIRST, M I.)	MAFIS NAME	
COCHRANE, JASON HENRY		

Page 2 of 3

### STATEMENT OF PROBABLE CAUSE (CONTINUED)

ARREST ON TRAFFIC / NATURAL RESOURCES / MASS TRANSIT CITATIONS / CRIMINAL CHARGES / MUNICIPAL ORDINANCES / PUBLIC LOCAL LAWS

admitted that he had smoked some crystal methamphetamine at approximately 0000 hours. The hypodermic needle, glass pipe, and contents of suspect crystal methamphetamine were sent to the MSP Crime Lab for processing. In addition to the controlled dangerous substance in Cochrane®s possession were numerous other items. Located inside Cochrane®s tent was 30 plus pair of men⊠s and women⊠s under garments, a tan rubber adult sex toy replicating the shape of a man®s penis, multiple packaged condoms, male enhancement pills, an arrangement of rubber penis rings and one condom that was out of the packaging. Cochrane™s speech was slurred while seeming to have uncontrollable spasms which could have been a result of substance abuse. Therefore, EMS was notified and transported Cochrane after an examination by EMS personnel ordering Cochrane to be administered to the hospital. Cochran was transported to Meritus Medical Hospital. Smith was transported by Corporal J. Keeney to the Hospital. Child Protection Services was notified for the minor. After a search warrant was signed by a Washington County Judge, Cochrane was examined and swabbed for DNA samples. Upon his exam two penis rings were found on Cochrane®s penis. Smith was examined by a Safe Nurse which led to the discovery of two penis rings on

Smiths penis. Cochrane admitted in an interview that he showed Smith how to put on a penis ring. Cochrane admitted that he showed Smith how to clamp devices onto his nipples to increase the sensation of feelings. Cochrane admitted that he slept maked with Smith in the tent and that he told him

how to please a woman sexually. Smith®s exam also revealed residue confirming that Smith did perform fallacious acts on CochraneDs penis.

Consent was given to swab Smith for DNA from his grandparents who are his legal guardians. Smith also stated that his grandparents allowed him to go camping on the trail with Cochrane. Smith admitted that he sometimes calls Cochrane, "Dad" and that Cochrane allowed him to lick supposed crystal methamphetamine from Cochrane. Cochrane knowingly distributed and knowingly allowed Smith, a minor to come into contact with a controlled dangerous substance of Schedule II supposed crystal methamphetamine. Smith is only 11 years old and does suffer from mild autism and may not have been fully aware of what was occurring. Cochrane as Smith's temporary guardian, took advantage of Smith's condition when he had him perform fellatio on his penis knowing that Smith may not have been aware.Cochrane is HIV positive. Cochrane knowingly having HIV had Smith perform fallacious acts endangering him and his future health with possible HIV from saliva transfer.

CONTINUED ON ATTACHED SHEET (FORM DC/CR 4A)

FACTS SET FOR		TIES OF PERIURY THAT THE MATTERS OCUMENT ARE TRUE TO THE BEST OF A F	
DATE 09/28/2019		AFRESTING WESTER	*********
VOENCA	SUB-AGENCY	1D NO	- 200
NRP	1002	1683	



TRACKING NUMBER 199000010134

PC DC/CR 4A (Rev. 4/02)

## DISTRICT COURT OF MARYLAND FOR ... WASHINGTON COUNTY (City/County)

NRP-19-01524 - NRP AF

LOCATED AT (COURT ADDRESS) 36 WEST ANTIETAM STREET HAGERSTOWN MD 21740

DISTRICT COURT CASE NUMBER

State of the state	
DEFENDANT'S NAME (LAST, FIRST, M.I.)	MAFIS NAME
COCHRANE, JASON HENRY	

Page 3 of 3

STATEMENT OF PROBABLE CAUSE (CONTINUED)  ARREST ON TRAFFIC/NATURAL RESOURCES/MASS TRANSIT CITATIONS/CRIMINAL CHARGES/MUNICIPAL ORDINANCES/PUBLIC LOCAL LAWS				
All events occurred in Washington County, Maryland.				

CONTINUED ON ATTACHED SHEET (FORM DC/CR 4A)

FACTS SET FOR		TES OF FERURY THAT THE MAT'S CUMENT ARE TRUE TO THE BEST F	
DATE 09/28/2019		ARRESTING OLD CO.	
AGENCY	SUB-AGENCY	ID NO	
NRP	1002	1683	



TRACKING NUMBER 199000010134

PC DC/CR 4A (Rev. 4/01