

bill 554 statement.pdf

Uploaded by: ANGELA FREY

Position: FAV

Good afternoon,

My name is Angie Frey. I have just two minutes today to make an impact on you and hopefully make a difference. On June 9, 2022, my husband, Mark Alan Frey was murdered in cold blood along with his co-workers CJ Minnick and Josh Wallace, at Columbia Machine in Smithsburg MD. During an afternoon break the shooter, a 23-year-old Latino man from Texas, put 7 bullets in my husband. He proceeded to shoot CJ Minnick 3 times, and Josh Wallace 9. Those shots resulted in the deaths of all three men. He also shot Brandon Micheal 4 times and later shot a police officer. They each survived. For his heinous crimes, the killer was given a plea deal from Judge Brian Wilson in the Washington County Circuit Court and was found to Not be criminally responsible for his actions at the exact moment that he pulled the trigger. He did not stand trial. His crimes were not heard by a jury of 12 of his peers. We were not permitted to appeal the decision. We were not permitted to request another opinion. The Maryland law was completely geared toward the benefit of the criminal. He was not sentenced to a period of incarceration for murdering 3 people. Instead, he was placed in a hospital until he is deemed to no longer be a threat to himself or others. When that day comes, he will not go to prison, or any other facility. He will be free. Free to kill again. Free to roam among innocent, unsuspecting people. He is schizophrenic and there is no cure for this mental illness. He cannot be rehabilitated.

The first review for his release came just 30 days after his initial placement. We were not informed this would happen and we, the families of the victims, were all quite shocked. When I inquired, I was told by Valerie Grimes at Clifton Perkins that Mr. Esquivel is "entitled" to be reviewed for release because his civil liberties were taken from him. What kind of world do we live in where that is an acceptable response to the wife of a murder victim?

The killer stalked my husband as early as March 2022. He talked about him on the dark web. He had photos of my husband's truck. Police are unable to tell me how much information he had or shared about us due to the anonymity of those types of web sites. Even with the substantial amount of evidence detectives had showing that he planned this killing; he planned his escape; he carried the guns in his car, he went to his car and retrieved his firearms and put on a song called Pull the Trigger, and a doctor said he was not responsible at the exact time the shots were fired. Please keep in mind that every 12 months he will be eligible for release. Every 12 months, the families' wounds are torn open. Every 12 months he is eligible to be freed while I have been sentenced to this miserable life without Mark. Since June 9th, 2022, I live in fear and I watch over my shoulder everywhere I go. I am a 56-year-old grandmother diagnosed with Post Traumatic Stress Disorder, acute depression, anxiety, and sentenced to live the rest of my life without my husband by my side. My grandson will never know his grandfather. Lisa Minnick is raising a 3-year-old little girl without her Daddy. Josh's Mother, Tammy, is here today and will share her loss with you.

When we learned of the "not criminally responsible" plea on November 17, 2022, during a meeting at the Washington County Courthouse, we were outraged. Without compassion, Prosecutor Christopher McCormick told us if we didn't like it to contact state law makers. So, I did. I emailed every email address I could find on MD.gov. It was Senator Paul Corderman who has chosen to make a difference by introducing Senate Bill 554.

Senate Bill 554, as I understand, allows the mentally ill to get the treatment they need while eliminating the annual review for release. For the charge of murder in the first degree, the criminal is committed to a facility for life. Bill 554 removes the atrocity of a murderer being set free. It eliminates the pain those annual reviews cause the families of the deceased. It gives those left behind peace of mind and time to heal.

In recent weeks, I've seen that Maryland Governor Wes Moore has an initiative to make Maryland a safer place. Now is the perfect time to make the laws of the state favor its citizens and not the criminals. You can make a difference today by voting in favor of Bill 554 because this problem is only going to get worse. Mental illness is on the rise and state facilities are overcrowded. All it takes is one overworked doctor to need to free up bed space and criminals like Joe Esquivel are freed back into our communities. Back into communities to kill again. Would you be ok with him living beside your family?



Please do not allow Mark Frey to have died for nothing. Vote yes for this bill and keep killers where they belong.


Christine Remsburg email 4 28 2023.pdf




Uploaded by: ANGELA FREY

Position: FAV

RE: SMITHSBURG SHOOTING VICTIMS - WHY WONT ANYONE HELP US

 **Remsburg, Christine M.**
to me

Fri, Apr 28, 1:14 PM (2 days ago)   

This is completely out of control. She won't listen to anyone who doesn't tell her what she wants to hear.

From: Angie Frey <angiepalme@gmail.com>

Sent: Friday, April 28, 2023 1:03 PM

To: Cirincion, Gina <GCirinci@washco-md.net>

Cc: Corderman, Paul Senator <Paul.Corderman@senate.state.md.us>; McCormack, Chris <ChrisM@washco-md.net>; Remsburg, Christine M. <cremsburg@washco-md.net>; Ritter, Jill <JRitter@washco-md.net>

Subject: Re: SMITHSBURG SHOOTING VICTIMS - WHY WONT ANYONE HELP US

Gun Center Case Report_Redacted.pdf

Uploaded by: ANGELA FREY

Position: FAV



Maryland Gun Center Case Report

MDGC Case #: 202204511



Date and Time of Entry: 6/9/2022 7:00:53 PM
MDGC Investigator: Investigator Michael Barclay #C131
MDGC Case Date: 6 /9 /2022
Incident Date: 6/9/2022
Incident Location: 21328 Mount Aetna Road, Hagerstown, MD 21742
Requestors Case#: 22MSP022385
Case Type: Prohibited Person Check, Firearm Used in Crime, Homicide Investigation
County Of Incident: Washington

Case Requestor Information

Requestor: Detective Sergeant Frank Lopez, ID# 1977
Agency: Maryland State Police
Address:

Work Phone #: (410) 694-4730
Cell Phone #:
Email: frank.lopez@maryland.gov

ReportNotes

Homicide Investigation

ATF is conducting an urgent trace on the below listed firearm, per D/Sgt Lopez.

Heckler & Koch Pistol/9mm/Serial# 224055152

The aforementioned firearm was queried through Lynx and RAPID resulting in "No Records Found"

The MD DNR database was queried, there are NO prior hunting licenses or game harvests for Esquivel.

The suspect's name and dob were queried through Linx resulting in "No Records Found"

Person Information

- This person is currently not prohibited from possessing a firearm. -

Name: **Joe Louis Esquivel**
Date Of Birth: 10/10/1998
Race and Gender: Unknown Male
Height and Weight: 509, 156
Address: [REDACTED]
County: [REDACTED]
Drivers License #: [REDACTED]
SID Number: None Found
Other SID #s: None Found
FBI Number: None Found
Meets Project Exile: ☐



Prohibiting Factors:

This person does not have any prohibiting factors which disqualify them from possessing a firearm.

Open Warrants:

This person does not currently have any open warrants.

Criminal History Check:

A criminal history check revealed this person has no prohibiting offenses in their adult criminal history.

Juvenile Records Check:

There is no pertinent information about juvenile records to report for this person.

Protective Orders:

This person is not currently a respondent of a protective order.

Parole and Probation Records:

This person is not currently on parole or probation.

Regulated Firearms Check:

This person was checked through MAFSS and found to have NO regulated firearms listed to them. This check does NOT include a check for NON-regulated firearms and therefore the requestor should be aware that it is possible the person may possess non-regulated firearms such as shotguns and rifles.

Missing Person Check:

This person is not currently reported as a missing person.

Department of Health Check

A Check of the Maryland Department of Health for this person yielded negative results.

Guardianship Check:

This person does not have any guardianship records

Recommended Charges

Date Recommended: 6/9/2022

# of Counts	Recommended Charge
-------------	--------------------

1	CJIS Code: 1 5299, Firearm - use/fel viol crime, STATUTE: CR 4-204
---	---

The following Charging Language is recommended for this particular charge:

...did use a firearm in the commission of a felony /crime of violence

# of Counts	Recommended Charge
-------------	--------------------

1	CJIS Code: 1 5212, Handgun on Person, STATUTE: CR 4-203
---	--

The following Charging Language is recommended for this particular charge:

...did wear, carry and transport a handgun upon and about their person.

# of Counts	Recommended Charge
-------------	--------------------

1	CJIS Code: 1 1455, Loaded Handgun on Person, STATUTE: CR 4-203(a)(1)(v)
---	--

The following Charging Language is recommended for this particular charge:

...did [wear/carry/transport] a loaded handgun upon or about their person.

of Counts Recommended Charge

1 **CJIS Code: 1 1454, Loaded Handgun in Vehicle, STATUTE: CR 4-203(a)(1)(v)**

The following Charging Language is recommended for this particular charge:

... did knowingly transport a loaded handgun in a vehicle upon the highways generally used by the public.

of Counts Recommended Charge

1 **CJIS Code: 1 0175, Handgun in Vehicle, STATUTE: CR 4-203**

The following Charging Language is recommended for this particular charge:

...did knowingly transport a handgun in a vehicle upon the public roads generally used by the public.

MARYLAND STATE POLICE PERSONNEL PLEASE NOTE: If any of the following firearms is a pistol (not a revolver) and test fired locally, forward a cartridge casing to the Maryland State Police Forensic Sciences Division (FSD) so that the cartridge can be entered into the Integrated Ballistic Information System (NIBIN). You may contact FSD at 443-357-1300 or by e-mail at msp.fatmu@maryland.gov. If the firearm has an obliterated serial number, the firearm must be sent to the lab for serial number restoration. Once the lab completes the restoration, re-contact the Gun Center with the serial number so that additional checks may be completed.

Insanity defense reform act 1984.pdf

Uploaded by: ANGELA FREY

Position: FAV

Insanity defense reform act 1984

[A Crime Of Insanity - Insanity On Trial | FRONTLINE | PBS](#)

Maryland NCR process.pdf

Uploaded by: ANGELA FREY

Position: FAV

Maryland, the two steps of a not criminally responsible defense are establishing the crime and establishing the defense of insanity. [1, 2]

Step 1: Establish the crime [1, 2, 3]

- The state must prove beyond a reasonable doubt that the defendant committed the crime

Step 2: Establish the defense of insanity [1, 2]

- The defendant must prove by a preponderance of the evidence that they were not criminally responsible by reason of insanity

What is the defense of insanity? [4]

- The defense of insanity is Maryland's equivalent to an insanity defense
- It's a rare defense that's supposed to be limited to extreme circumstances
- The defense must prove that the defendant had a mental disorder or developmental disability

What happens if the defense is successful? [3, 5]

- If the jury agrees with the defense, the defendant will be committed to a mental health facility for an indefinite time

What happens if the defense is unsuccessful? [3]

- If the jury rejects the defense, the defendant will be found guilty and sentenced

Maryland State Police Reports.pdf

Uploaded by: ANGELA FREY

Position: FAV



WES MOORE
GOVERNOR

ARUNA MILLER
LT. GOVERNOR

STATE OF MARYLAND
MARYLAND STATE POLICE
1201 REISTERSTOWN ROAD
PIKESVILLE, MARYLAND 21208-3899
410-486-3101
TOLL FREE: 1-800-525-5555
TDD: 410-486-0677



COLONEL
ROLAND L. BUTLER, JR.
ACTING SUPERINTENDENT

Forensic Sciences Division - Pikesville

221 Milford Mill Road

Pikesville, Maryland 21208

LABORATORY REPORT

Phone: 443-357-1300

TO: MSP Homicide

DATE: March 8, 2023

ATTENTION: Sgt. Martin

Requestor's Case #: 22MSP022385

Laboratory File #: 2022-FSD21-04960

Victim: D/Sgt. Phil Martin

Suspect(s): Joe Louis Esquivel

This examination has been made with the understanding that the evidence is connected with an official investigation of a criminal matter and that the Laboratory Report will be used for official purposes only related to the investigation or a subsequent criminal prosecution. This report contains the conclusions, opinions and interpretations of the examiner whose signature appears on the report. The reported results relate only to the items/exhibits tested or sampled.

Dates of Analysis: January 10, 2023 – March 2, 2023

The evidence was received into the Firearms/Toolmarks Unit of the Forensic Sciences Division where it was examined and marked for identification as listed below:

Item 4 – .40 S&W caliber Glock semiautomatic pistol, model 22 Gen4, serial number TLR249 with attached flashlight (2022-0313-V.1)

- One (1) magazine that fits and functions in Item 4 (2022-0313-V.1.1)
- Ten (10) .40 S&W caliber cartridges bearing the Federal headstamp (2022-0313-V.1.2)

Item 5 – 9mmx19 caliber Heckler & Koch semiautomatic pistol, model VP9, serial number 224-055152 (2022-0313-CS.1)

- One (1) magazine that fits and functions in Item 5 (2022-0313-CS.1.2)
- One (1) 9mm Luger caliber cartridge bearing the Blazer headstamp (2022-0313-CS.1.1)
- Fifteen (15) 9mm Luger caliber cartridges bearing the Blazer headstamp (2022-0313-CS.1.3)

STATE OF MARYLAND
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Laboratory File #: 2022-FSD21-04960

-
- Item 6 – One (1) magazine that fits and functions in Item 5 (2022-0314-SV.10)
Four (4) 9mm Luger caliber cartridges bearing the Winchester headstamp (2022-0314-SV.10.1)
 - Item 7 – One (1) magazine that fits and functions in Item 5 (2022-0314-SV.11)
 - Item 8 – One (1) fired .40 S&W caliber cartridge case bearing the Federal headstamp (2022-0313-CS.2)
 - Item 9 – One (1) fired .40 S&W caliber cartridge case bearing the Federal headstamp (2022-0313-CS.3)
 - Item 10 – One (1) fired .40 S&W caliber cartridge case bearing the Federal headstamp (2022-0313-CS.4)
 - Item 11 – One (1) fired .40 S&W caliber cartridge case bearing the Federal headstamp (2022-0313-VV.1)
 - Item 12 – One (1) fired .40 S&W caliber cartridge case bearing the Federal headstamp (2022-0313-VV.2)
 - Item 13 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.3)
 - Item 14 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.4)
 - Item 15 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.7)
 - Item 16 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.12)
 - Item 17 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.13)
 - Item 18 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.15)
 - Item 19 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.17)
 - Item 20 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.18)
 - Item 21 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.19)
 - Item 22 – One (1) fired 9mm Luger caliber cartridge case bearing the Sellier & Bellot headstamp (2022-0314-SV.24)
 - Item 23 – One (1) fired .22 Long/Long Rifle caliber cartridge case bearing the Winchester headstamp (2022-0314-SV.16)
 - Item 24 – One (1) fired bullet jacket fragment (2022-0313-CS.8)
 - Item 25 – One (1) fired bullet jacket fragment (2022-0313-VV.3)
 - Item 26 – One (1) fired bullet (2022-0313-VV.4)
 - Item 27 – One (1) fired bullet (2022-0314-SV.5)
 - Item 28 – One (1) fired bullet jacket fragment (2022-0314-SV.5)
 - Item 29 – One (1) fired bullet (2022-0314-SV.1)
 - Item 30 – One (1) fired bullet jacket fragment (2022-0314-SV.2)
 - Item 31 – One (1) fired bullet jacket fragment (2022-0314-SV.20)
 - Item 32 – One (1) fired bullet jacket fragment (2022-0314-SV.20)
 - Item 33 – One (1) fired bullet jacket fragment (2022-0314-SV.20)

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- Item 34 – One (1) fired bullet jacket fragment (2022-0314-SV.20)
 - Item 35 – One (1) lead-like fragment (2022-0314-SV.21)
 - Item 36 – One (1) fired bullet (2022-0314-SV.22)
 - Item 37 – One (1) fired bullet fragment (2022-0314-SV.23)
 - Item 38 – Three (3) .22 Long Rifle caliber cartridges bearing the Federal headstamp (2022-0314-SV.24)
 - Item 39 – One (1) 9x19mm caliber cartridge bearing the Sellier & Bellot headstamp (2022-0314-SV.8)
 - Item 40 – One (1) 9x19mm caliber cartridge bearing the Sellier & Bellot headstamp (2022-0314-SV.9)
 - Item 41 – One (1) .223 Remington caliber cartridge bearing the Federal headstamp (2022-0313-CS.6)

An examination was conducted to determine the functional condition of Item 4 and Item 5. Item 4 and Item 5 are operable and capable of being fired. Bullets and cartridge cases test fired in Item 4 and Item 5 will be retained in MSP-FSD. Item 5 was tested for fully automatic function. Item 5 only functions in semiautomatic mode.

Item 23 and a cartridge case test fired in Item 5 were entered into the National Integrated Ballistic Information Network (NIBIN). You will be notified if these images are later associated with another case(s).

Items 8-12 were microscopically inter-compared and compared to cartridge cases test fired in Item 4. As a result of microscopic comparison, it was concluded that Items 8-12 were identified as having been fired in Item 4.

Items 13-22 were microscopically inter-compared and compared to cartridge cases test fired in Item 5. As a result of microscopic comparison, it was concluded that Items 13-22 were identified as having been fired in Item 5.

The submitted specimen marked as Item 24 was examined and identified as one (1) fired bullet jacket fragment, consistent with .38 caliber class, exhibiting partial polygonal land and groove impressions with a right twist. The submitted specimen marked as Item 25 was examined and identified as one (1) fired bullet jacket fragment, consistent with .38 caliber class, exhibiting six (6) polygonal land and groove impressions with a right twist. The submitted specimen marked as Item 26 was examined and identified as one (1) fired bullet, consistent with .38 caliber class, exhibiting six (6) polygonal land and groove impressions with a right twist. The submitted specimen marked as Item 37 was examined and identified as one (1) fired bullet fragment, consistent .38 caliber class, exhibiting partial polygonal land and groove impressions with a right twist.

The submitted specimens marked as Item 27 and Item 29 were examined and identified as two (2) fired bullets, consistent with .40 S&W / 10mm Auto caliber, exhibiting six (6) polygonal land and groove impressions with a right twist. The submitted specimen marked as Item 36 was examined and identified as one (1) fired bullet, consistent with .40 S&W / 10mm Auto caliber, exhibiting partial polygonal land and groove impressions with a right twist.

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The submitted specimens marked as Item 28 and Items 30-34 were examined and identified as six (6) fired bullet jacket fragments exhibiting partial polygonal land and groove impressions with a right twist.

Items 24-26 and Item 37 were microscopically inter-compared and compared to bullets test fired from Item 5. As a result of microscopic comparison, it was concluded that Items 24-26 and Item 37 were inconclusive to each other and inconclusive to bullets test fired from Item 5.

Items 27, 29, and 36 were microscopically inter-compared and compared to bullets test fired from Item 4. As a result of microscopic comparison, it was concluded that Items 27, 29, and 36 were inconclusive to each other and inconclusive to bullets test fired from Item 4.

Item 28 and Items 30-34 were microscopically inter-compared and compared to the following: Items 24-26, 37; Items 27, 29, 36; and bullets test fired from Item 4 and Item 5. As a result of microscopic comparison, it was concluded that Item 28 and Items 30-34 were inconclusive to each other, inconclusive to Items 24-26, 37; inconclusive to Items 27, 29, 36; and inconclusive to bullets test fired from Item 4 and Item 5.

Item 35 is unsuitable for microscopic comparison.

Inter-Comparison:

Per request, Item 5 test fires in the present case were microscopically compared to evidence in the following case:

Agency: Washington County Sheriff's Office

Agency Case #: 2203581

MSP Lab #: 2022-FSD21-06522

Offense: Homicide

Date of Offense: 06/09/2022

Items 1-20: Twenty (20) fired 9mm Luger caliber cartridge cases (Submitter's Items CS-1 thru CS-10, CS-19, CS-21, CS-22, CS-25, CS-31

Items 21-24, 26-31, 33-35, and 37-43: Twenty (20) fired bullets /bullet fragments /bullet jackets /bullet jacket fragments (Submitter's Items CS-12, CS-14, CS-18, CS-20, CS-23, CS-24, CS-29, CS-32, MF11, MF12, MF13, MF14, CM10, CM11, CM12, JW10, JW11, JW12, JW14)

As a result of microscopic comparison, it was concluded that Items 1-20 from 2022-FSD21-06522 / 2203581 were identified as having been fired in the Item 5 firearm in the present case.

As a result of microscopic comparison, it was concluded that the Items 21-24, 26-31, 33-35, and 37-43 from 2022-FSD21-06522 / 2203581 were inconclusive to the bullets test fired from Item 5 in the present case.

As a result of microscopic comparison, it was concluded that the Items 21-24, 26-31, 33-35, and 37-43 from 2022-FSD21-06522 / 2203581 were inconclusive to Items 24-26, 28, 30-34, and 37 in the 21-8A (02/28/2020)

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MARYLAND STATE POLICE

Requestor's Case #: 22MSP022385

Laboratory File #: 2022-FSD21-04960

present case.

Examiner: Alicia Quinn
Alicia Quinn
Firearm/Toolmark Examiner

Please arrange prompt retrieval of evidence.

Note:

Identification: Agreement of all discernible class characteristics and sufficient agreement of a combination of individual characteristics where the extent of agreement exceeds that which can occur in the comparison of toolmarks made by different firearms/tools and is consistent with the agreement demonstrated by toolmarks known to have been produced by the same tool/firearm.

Inconclusive: Agreement of all discernible class characteristics without agreement or disagreement of individual characteristics due to an absence, insufficiency, or lack of reproducibility.

Elimination: Significant disagreement of discernible class characteristics and/or individual characteristics.

Unsuitable: Unsuitable for examination.

NCR article by Richard Vatz.pdf

Uploaded by: ANGELA FREY

Position: FAV



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Here's What Olive Oil Does

4 unexpected benefits of taking a shot of olive oil at night
what it does to your body.

MD Olive Oil



THE INSANITY OF MD.'S INSANITY PLEA: WHY IS THE MURDERER OF 3 MEN 'NOT CRIMINALLY RESPONSIBLE'?

By Richard Vatz | May 7, 2023 | Commentary | 1 🗳️ | ★★★★★

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The Clifton T. Perkins Hospital Center in Jessup is the maximum security facility in Maryland to house and treat the criminally insane. State photo

By Richard E. Vatz and Jeffrey A. Schaler

The suspect in the killing of three workers in a Smithsburg, Md. factory — the dead are Mark Alan Frey, Charles “C.J.” Edward Minnick Jr. and Joshua “Josh” Robert Wallace — has been found “not criminally responsible.” According to a report by state psychiatrists, the suspect, Joe Louis Esquivel, is suffering from schizophrenia, previously undiagnosed.

[Some of the facts of the case are gleaned from reports in the Hagerstown Herald-Mail.]

Schizophrenia is a catch-all term as used in criminal law, usually vaguely meaning that a defendant distorts reality or, worse, had hallucinations at the time of the crime(s).

Regarding “not criminally responsible,” the term references the current state of the insanity plea in Maryland. In order to be held responsible for a crime, two things must be present: *mens rea*, or the intention to commit the crime, and *actus reus*, meaning the criminal act. *Mens rea* is the operative criterion here.

It is important to remember that “insanity” is a legal term. It is not a medical or psychiatric term. Insanity implies, regarding the “cognitive” component of criminal intent, that a defendant allegedly did not know what he was doing at the time of the criminal act, that he did not know that his actions were wrong. The second component,

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the “volitional” prong, means that he was incapable of conforming his behavior to the dictates of law.

We submit that it is scientifically impossible to know whether or not these criteria are true or false. There is a difference between mind and brain.

If an accused successfully pleads “not criminally responsible” and is found guilty, he or she is remanded to a relatively cushy mental health facility and may be released whenever the state finds the perpetrator to no longer be insane, with that finding ratified by a judge. This is far from an objective or scientific assessment; it is simply arbitrary.

The use and success of insanity pleas varies throughout the country, but when combined with psychiatric testimony regarding sentencing, psychological mitigation is omnipresent.

Regarding the defendant’s alleged lack of understanding of what he was doing, note that in this case Esquivel knew enough to run away from the police, hit a police car, run and shoot at them and claim he was trying to commit suicide by police.

Such a state of legal affairs regarding the not criminally responsible plea, allowing theoretically for a very early release, is anathema to the relatives of victims and manifest in this case, according to The Washington Post. Decedent Mark Frey’s widow, Angie Frey called it a “nightmare,” likening it to “total hell on earth.” Mark Frey knew the shooter and had criticized him to Angie as a bad employee, lazy and undependable; Mark had shared this assessment with management to no avail.

Before Judge Brett R. Wilson stated his expected finding, remanding Esquivel to a state hospital, victim Brandon Michael and his family derided the ruling, essentially rewarding, as he termed it, the “cowardly” atrocities.

Even Assistant State’s Attorney Chris McCormack, mystified by the “medical” report on Esquivel, claimed he was dubious regarding the conclusions in the report to which prosecutors generally acquiesce.

Thus, it is clear that the shooter knew what he was doing, that he knew that murder was wrong, and that he demonstrated behavioral control. All behavior, or modes of conduct, is volitional. A seizure or convulsion is not behavior. It is a neurological reflex devoid of intention or will. Despite this fact, those who argue in favor of an insanity defense assert that behavior can be involuntary.

When successful, “not criminally responsible” pleas may inadvertently constitute a Sword of Damocles for victims’ relatives. They may never know when the killer of their loved one or fellow workers will be released, and they have to focus meticulously on hearings and trials for the perpetrator to assert and reassert their hope that the accused remains in the “hospital.”

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Friday, May 17, 2024 Wh

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Esquivel's claim is that volitionally he, as Frey understands it, "was supposedly not in control of his actions." Psychiatrists have conceded to us that this criterion, the volitional prong, can be confirmed even less than the cognitive prong. How does the state prove that a person had control over his actions? One can always fake loss of control.

The proliferation of the measure of criminals' "snapping" has proliferated in the public lexicon, another claim that cannot be disproved. An involuntary behavior, independent of reflexes, is a contradiction.

Washington County's state's attorney, Gina M. Cirincion in an e-mail to *The Post* said that prosecutors will not oppose the not criminally responsible finding by state forensic psychiatrists.

Why has not the evidence been produced for finding Esquivel insane beyond saying he is schizophrenic, and why does the prosecution just accept the findings? In the absence of evidence – and there is no possible evidence adducible other than mental health professionals' unsupported opinions to demonstrate a lack of control of behavior – the reasonable inference is that prosecutor Cirincion finds this an easy way out, and the psychological effects on the victims' relatives and others be damned.

This is just one more example of irresponsibly providing evidence for future felons to believe that their horrendous actions will likely be consequence-free. There are exceptions wherein state psychologists, psychiatrists and the criminal justice system are willing to rigorously confront weak claims of exculpatory insanity, but they are not in sufficient abundance.

Richard E. Vatz (rvatz@Towson.edu) was psychology editor of USA Today Magazine for almost forty years and political persuasion professor at Towson University. Jeffrey Alfred Schaler (ijas@icloud.com), a psychologist, is a retired professor of Justice, Law and Society at American University's School of Public Affairs, and a retired member of the psychology faculty at Johns Hopkins University. They are co-editors of "Thomas S. Szasz: the Man and His Ideas" (Transaction and Routledge, London, 2017) and authors of many pieces on psychiatry, insanity pleas and the law.

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ABOUT THE AUTHOR

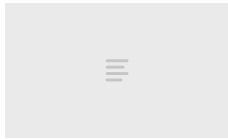


Richard Vatz

rvatz@towson.edu

Richard E. Vatz Ph.D. retired from Towson University in January 2023 wherein he served for almost a half-century and was the longest serving member of The Academic Senate. He is Author of The Only Authentic of Persuasion: the Agenda-Spin Model (Authors Press, 2022)

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1 COMMENT



Kristen on May 9, 2023 at 8:09 am

It sickens me that yet another triple murderer is essentially getting away with murder in Maryland this year. My family and I have experienced the pain and injustice of Maryland's insanity defense and not criminally responsible findings firsthand. Jeffrey Burnham killed someone in Allegany County, stole her car, drove 2 hours to a house in Howard County that he had never been to before, ambushed his estranged half-brother and his wife, stole their Corvette convertible for his getaway joyride (instead of the Camry or Highlander), told someone they'd "see him on the news" while the manhunt was underway, and said the voices in his head told him to kill 3 people when he was out of gas and options at the time he was apprehended in Davis, WV. He said he had to confront his half brother, a pharmacist, about the Covid vaccine. As family of Kelly & Brian Robinette, it's impossible to reconcile the nature and extent of the murderer's actions with the end result of the

murder cases in both Howard and Allegany Counties. Family and friends have to live in fear of him being released if a psychiatrist deems him “safe.” It’s a nightmare.

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Testimony for Senate Bill 782.pdf

Uploaded by: ANGELA FREY

Position: FAV

I am the widow of Mark Frey. He and two of his co-workers were murdered at Columbia Machine on June 9, 2022. A 4th wounded man escaped and a police officer was shot as well. The killer who stalked, planned, and carried out this heinous slaughter was coddled by the State of Maryland. He was not prosecuted or sentenced. It was a doctor who decided that he was not responsible for his actions during the split second that he fired more than 30 rounds into 4 unarmed men. He was placed in a hospital and just 20 days later he was eligible for release. No jury has ever heard this case. No justice has been served.

Last year I testified on senate bill 554 regarding the not criminally responsible. I was confident that by bringing the antiquated laws to your attention that you would act and do the right thing. I was terribly mistaken. You failed us. You are aware of how your laws affect murder victims, yet you CHOSE not to make any change.

Allowing a murderer the right to request release once a year is absurd. Victims never get justice, closure, or any peace of mind. Everyday there's a chance that I'll get that next notice that killer Joe is being considered for release again. Any bit of healing is gone and I'm right back to June 9th.

Under the U.S Constitution, Mark, CJ, and Josh were entitled to life, liberty, and the pursuit of happiness. An unprovoked killer took those rights. And in return, Maryland protects the killer and victimizes the families left behind. Anyone who takes a life is pure evil and they need to be kept where they cant hurt anyone else. You cannot fix them.

Maryland laws must be updated. You must use common sense and keep killers where they belong. Your constituents are not safe. Your families are not safe. Maryland owes citizens the right to be safe from evil.

Washington County Sheriffs report.pdf

Uploaded by: ANGELA FREY

Position: FAV



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_2	06/09/2022 22:16	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP EVERITTS, C (S7175)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday 6/9/22 at approx. 1457 hours, M/Dep Everitts responded to to assist with this incident.

Upon arrival, M/Dep Everitts was ordered to secure the perimeter on the east side of the building, the boundary of the perimeter being the driveway of

M/Dep Everitts responded to the address and made contact with the resident of the address identified as Mark Douglas Covell. Covell advised he had no knowledge of the incident other than that there was a large police presence in the area. M/Dep Everitts advised Covell to remain inside his residence until instructed otherwise.

A short time later, M/Dep Everitts was instructed to contact the family of the victims of the incident at the Smithsburg Fire House. M/Dep Everitts responded to the Fire House and remained with family members of the victims until Washington County Sheriff's Department Detectives responded to make notifications of the life statuses of the victims.

Report Made By	Date	Approved By	Date
M/DEP EVERITTS, C (S7175)	06/09/22	SGT SHANK, S (S6931)	06/10/22



Washington County Sheriff's Office

500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_1	06/09/2022 21:24	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT ALMY, V (S7601)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday 6/09/22 at approximately 1830hrs I responded to Meritus Medical Center to relieve one of the Maryland State Troopers standing guard at trauma room 3. Joe Louis Esquivel was under arrest and handcuffed to a hospital cot in where he was being attended to by nursing staff. At approximately 1958hrs I was contacted by MSP Det. Schramm who requested that I accompany him to Esquivel's bedside to utilize my body worn camera to record his interview. I proceeded into the room and stood near Esquivel's feet as Det. Schramm interviewed him. The interview ended at approximately 2030hrs and I was relieved of my post by DFC Carr.

Report Made By	Date	Approved By	Date
SGT ALMY, V (S7601)	06/09/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_3	06/10/2022 10:11	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	CPL TEETS, B (S6938)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (Y)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 10, 2022, Sergeant B. Teets responded to the Emergency Room at Meritus Medical Center located at
to assist with the investigation.

Upon arrival Sgt Teets made contact with Sergeant Chris Weaver. Sgt Weaver requested that Sgt Teets be present while he interviewed the suspect, Joe Louis Esquivel so that the interview could be recorded by Sgt Teets' body camera.

A short time later, Sgt Weaver, Sgt Teets and Trooper Eric Schramm, with the Maryland State Police, entered the room where Esquivel was being treated for his injuries. Sgt Teets activated his body camera as they were entering the room and kept it on for the duration of the interview. Once the interview was completed and investigators left the room Sgt Teets deactivated his body camera.

Sgt Teets had no further involvement in this investigation at this point.

Report Made By	Date	Approved By	Date
CPL TEETS, B (S6938)	06/10/22	SGT WILLISON, J (S6465)	06/15/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_5	06/10/2022 19:29	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	LT HAUGH, D (S7116)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On June 9th, 2022, at 2335HRS, I responded to relieve Sheriff's Deputies on scene. I arrived at 0003HRS on June 10th, 2022 and contacted Captain Mark Knight of the Washington County Sheriff's Office. I relieved Captain Knight and maintained supervision over the outer perimeter of the scene. At no time did I enter the crime scene. At 0059HRS, I cleared my post after being notified by Lieutenant Joel Footen that the scene was being released.

Report Made By	Date	Approved By	Date
LT HAUGH, D (S7116)	06/10/22	LT HOLINGER, J (S4560)	06/11/22



Washington County Sheriff's Office

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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_6	06/10/2022 23:28	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DEP HILL, M (S10822)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On 06/10/2022 at 2015 hours, Deputy M. Hill of the Washington County sheriffs Department served an arrest warrant on Joe Louis Esquivel

Report Made By	Date	Approved By	Date
<i>M. Hill</i>		<i>M. Hill</i>	
DEP HILL, M (S10822)	06/10/22	SGT CREEK, A (S5058)	06/13/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_8	06/11/2022 10:04	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT JONES, B (S6298)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00



End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On 06/09/2022 I responded to the area of Bikle Rd immediately after leaving traffic court. Upon arrival I was contacted by Sgt. Kemmerer and instructed to respond to the Smithsburg Valley Church at . At the church I made contact Holly, the daycare program leader. At this time it was decided that phone calls would be made to all of the parents of children in attendance. As the parents were called and subsequently arrived the children were released from the building and escorted to their parents by myself, M/Dep Snodderly or M/Dep Palladino.

Once all of the children were removed from the daycare center within the church, I responded to Bikle Rd at the entrance of the church to maintain the scene security and keep the media/ on lookers at a distance. During this time I was asked to clear my location and check a local orchard as well as fields in the area as suspicious persons were observed in those locations. These persons were found to be media and local residents. I remained in this position, on the perimeter until I secured at approximately 2030hrs.

Report Made By	Date	Approved By	Date
			
SGT JONES, B (S6298)	06/11/22	SGT SHANK, S (S6931)	06/12/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_11	06/11/2022 11:28	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC LAM, G (S9066)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On June 9, 2022 at approximately 1450 hrs, DFC. Lam responded to in reference to an active shooter. Upon DFC. Lam's arrival, at approximately 1508 hrs, numerous law enforcement officers from the Smithsburg Police Department, Washington County Sheriff's office, and Maryland State Police along with Emergency Medical Technicians (EMT) and paramedics had already arrived on scene. A broad perimeter was established from the telephone poles on the west side of the building to the exterior of the field on the northwest corner of the property. DFC. Lam maintained the crime scene log to the best of his abilities as the scene was fluid and rapidly evolving. Personnel from the Hagerstown Police Department (HPD), Federal Bureau of Investigations(FBI), and The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) later arrived on scene to assist with the investigation.

As more information was gathered, the crime scene perimeter was scaled down to the fenced in area of the property. Not all personnel initially documented on the crime scene log actually entered the fence line or building. At approximately 2000 hrs, DFC. Fazenbaker took over the Crime Scene log for DFC. Lam.

It should be noted "PTA" on the crime scene log stand for Prior to Arrival (DFC. Lam's arrival). Due to the rapidly evolving complexity of this incident and high volume of radio traffic, it is extremely difficult to determine the exact times of everyone's arrival. DFC. Lam was not marked on scene or placed on the call until 1553 after he requested dispatch for the second time to do so.

This case is being handled by the Washington County Sheriff's Office Criminal Investigations Unit .

Report Made By	Date	Approved By	Date
DFC LAM, G (S9066)	06/11/22	SGT SHANK, S (S6931)	06/11/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number 2203581_12	Date of Report 06/11/2022 16:01	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By DFC DEMERS, J (S7220)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

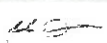
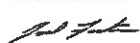
Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On June 9, 2022 at approximately 2314 hours, I, DFC Demers responded to
When I arrived on scene, I made contact with Lt. Footen and Sgt. Kemmer of the Washington
County Sheriff's Office at the scene. They advised I needed to relieve one of the units
stationed on the S/E side of the perimeter. I moved myself and unmarked patrol unit to the
S/E side of the perimeter. A while later I was notified by DFC Fazenbaker that I could
break down my post and return to the command center.

Report Made By 	Date 06/11/22	Approved By 	Date 06/17/22
DFC DEMERS, J (S7220)	06/11/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_13	06/11/2022 16:16	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DEP SHIREY, N (S9612)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9th, 2022 at approximately 2314 hours, Deputy Shirey of the Washington County Sheriff's Office responded to to relieve other Washington County Deputies who were holding the perimeter of an active homicide investigation.

Deputy Shirey made contact with Sergeant Kemmerer who was the on scene supervisor, who assigned Deputy Shirey to set up on the East side of the building and relieve the deputies who were there. Deputy Shirey remained at that position until 0100 hours when the scene was cleared.

No other information is available at this time.

Report Made By	Date	Approved By	Date
DEP SHIREY, N (S9612)	06/11/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number 2203581_16	Date of Report 06/09/2022 16:00	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By DEP MCCOY, J (S10024)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

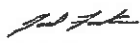
End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9, 2022 at approximately 1618 hours, Deputy McCoy of the Washington County Sheriff's Office responded to _____ to assist with scene security in regards to an active shooter investigation. Deputy McCoy maintained entry and exit security at the intersection

No further action taken.

Report Made By	Date	Approved By	Date
DEP MCCOY, J (S10024)	06/09/22	 LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_18	06/12/2022 23:47	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC FAZENBAKER, N (S8084)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On June, 9th, 2022, I Deputy First Class Fazzenbaker took over the crime scene log from 2000-0059(06/10/2022.)

Crime scene log was submitted to Lt. Footen to be added to the case file as evidence.

Report Made By	Date	Approved By	Date
DFC FAZENBAKER, N (S8084)	06/12/22	SGT WILLISON, J (S6465)	06/15/22



Washington County Sheriff's Office

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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_21	06/13/2022 08:14	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP BUSKIRK, S (S5773)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9th, 2022, Deputy Buskirk of the Washington County Sheriff's Office responded to for a report of an active shooter incident.

When Deputy Buskirk arrived on scene, Sgt Kemmerer of the Sheriff's Department had assumed command. Sgt Kemmerer tasked Deputy Buskirk to the rear of the building to stand post and assist with securing the perimeter of the building. Deputy Buskirk stood post on perimeter for several hours and the only human contact was with neighbors and a reporter. These contacts were brief and consisted of keeping them outside of the perimeter of the building. It should be noted that there was a security fence with barbed wire at the top separating Deputy Buskirk from the

Deputy Buskirk stood post on the perimeter until approximately 2130 hrs. Assisting on the rear perimeter with Deputy Buskirk was Trooper Buzzard of the Maryland State Police. Looking directly at the rear of the building, Deputy Buskirk secured the left side of the building perimeter which was closest to Jefferson Boulevard. Trooper Buzzard secured the right of the rear perimeter of the building.

Report Made By	Date	Approved By	Date
M/DEP BUSKIRK, S (S5773)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number 2203581_29	Date of Report 06/15/2022 09:53	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By DFC KNIGHT, G (S9949)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

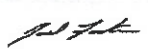
Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Friday 6-10-2022 at approximately 1436 hrs. I responded to the area of Smithsburg, Washington County, Maryland to assist in locating the suspect/vehicle involved in a shooting that took place in the Bikle Rd. Area. While responding, I diverted to travel south on Maryland Rt. 66/Mapleville Rd. Upon my arrival in the area of Mt. Aetna Rd. And Maryland Rt. 66 (roundabout) traffic was stopped on the right side of the roundabout, so I proceeded to the left side of the roundabout to continue traveling south. At that time I witnessed a blue unmarked police vehicle and a maroon unmarked suv along with an orange passenger car stopped on the south side of the roundabout. As I began to exit my patrol vehicle, I heard sounds of gunfire, and witnessed a male who had exited the unmarked vehicle standing in the area of the drivers side of the , with a weapon in his hand. Once the gunfire had ended, I began to move towards the incident scene as numerous other police agencies and officers began to arrive. Those arriving officers began to administer first aid to the officer and suspect who apparently were wounded during the shots fired incident. The only enforcement action that I took at that time was to secure the left side of the scene and maintain security of same. Once that part of my actions were completed, I left the scene and traveled to the original shooting scene on Bikle Rd. To assist if needed there. No further information to be provided.

Report Made By	Date	Approved By	Date
DFC KNIGHT, G (S9949)	06/15/22	 LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_30	06/15/2022 15:54	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DEP GEORGE, T (S10020)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

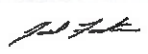
Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9, 2022, at approximately 2355hrs, Deputy George responded to to assist unit on scene with perimeter security. Deputy George did not make contact with anyone other than additional perimeter security units. Deputy George did not observe any evidence or assist with the investigation whatsoever.

Report Made By	Date	Approved By	Date
DEP GEORGE, T (S10020)	06/15/22	 LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number 2203581_39	Date of Report 09/06/2022 14:10	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By M/DEP STOTTLEMYER, C (S8041)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:
Start: 06/09/2022 14:00
End: 06/09/2022 15:00

Location of Crime:

List of Exhibits:

Class: (E) Evidence
Description:
Forensic Nurse Report
Quantity:
Serial No:
Model:
NCIC No:



Type: ()

Value:
Make/Brand:

Action Taken:

On Tuesday, September 06, 2022, Detective Stottlemeyer responded to Meritus Medical Center and picked up the Forensic Nursing report that was completed for this case. Upon receipt of the report, Detective Stottlemeyer took the report to the Washington County Sheriff's Office and provided it to Detective/Sergeant Bryan Glines.

This case is to remain assigned to Detective/Sergeant Glines for final disposition on case status.

Report Made By 	Date 09/06/22	Approved By 	Date 09/09/22
M/DEP STOTTLEMYER, C (S8041)	09/06/22	LT FOOTEN, J (S6317)	09/09/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581	06/09/2022 14:36	Initial
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (Y) Domestic (N) Narcan (N) Gang (N) LPR (N) K9 (N)

Victims:

Role: (VI) Victim
Name: FREY, MARK ALAN
Race/Sex: (W/M) DOB: Hair/Eyes: (//)
Address:

Phone:

Role: (VI) Victim
Name: GREENE, DAWN MARIE
Race/Sex: (W/F) DOB: Hair/Eyes: (//)
Address:

Employment Information

Employer:
Address:
Phone:
Occupation: Office Manager

Role: (VI) Victim
Name: MENDEZ, MANUEL E
Race/Sex: (B/M) DOB: Hair/Eyes: (//)
Address:

Role: (VI) Victim
Name: MICHAEL, BRANDON CHASE
Race/Sex: (W/M) DOB: Hair/Eyes: (//)
Address:

Role: (VI) Victim
Name: MINNICK, CHARLES EDWARD JR
Race/Sex: (W/M) DOB: Hair/Eyes: (//)
Address:

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581	06/09/2022 14:36	Initial
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

SMITHSBURG, MD 21783

Role: (VI) Victim
Name: NEIL, THOMAS ANDREW
Race/Sex: (W/M) DOB: Hair/Eyes: (/)
Address:

Role: (VI) Victim
Name: SCHLOTTERBECK, HUNTER MICHAEL
Race/Sex: (W/M) DOB:

Role: (VI) Victim
Name: WALLACE, JOSHUA ROBERT
Race/Sex: (W/M) DOB: Hair/Eyes:
Address:

Phone:
Employment Information
Employer:
Address:
Phone: () -
Occupation:

Date & Time of Incident:
Start: 06/09/2022 14:00
End: 06/09/2022 15:00

Location of Crime:

Motive:
(99)

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office
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Complaint Number	Date of Report	Initial/Supplement
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CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Suspects:

Role: (AC) Accused
Name: ESQUIVEL, JOE LOUIS
Race/Sex: (W/M) DOB: Hair/Eyes:
Address:

Phone:
Employment Information
Employer:
Address:

Phone:
Occupation:

Arrest Information:

Booking Number: Date: 06/10/22 00:00

Charge Information:

Statute: (1-0990) MURDER - FIRST DEGREE
LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1107) MURDER-SECOND DEGREE
LCR: (0111) Murder / Non-negligent Manslaughter - Firearm
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (2-0910) ATTEMPTED FIRST DEGREE MURDER
LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (2-0920) ATTEMPTED SECOND DEGREE MURDER
LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1420) ASSAULT-FIRST DEGREE
LCR: (0411) Aggr Assault - Firearm - On Citizen
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1415) ASSAULT-SECOND DEGREE

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office
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Complaint Number 2203581	Date of Report 06/09/2022 14:36	Initial/Supplement Initial
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT GLINES, B (S6516)	
Subject of Investigation MURDER - FIRST DEGREE		

LCR: (0411) Aggr Assault - Firearm - On Citizen
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1425) RECKLESS ENDANGERMENT
LCR: (2658) Other Offenses - Reckless Endangerment
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-0175) HANDGUN: WEAR/CARRY ; TRANSPORT IN VEHICLE/PUBLIC ROADS, ETC
LCR: (1512) Weapons - Carrying Concealed - Handgun
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1454) LOADED HANDGUN IN VEHICLE
LCR: (1522) Weapons - Possession - Handgun
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-5212) WEAR, CARRY AND TRANSPORT HANDGUN UPON THEIR PERSON
LCR: (1522) Weapons - Possession - Handgun
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-5299) FIREARM USE/FELONY/VIOLENT CRIME
LCR: (1590) Weapons - Other Offense
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1455) LOADED HANDGUN ON PERSON
LCR: (1522) Weapons - Possession - Handgun
Instr: (DCW) DISTRICT C Instr No:221001314671


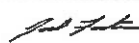
Booking Number: 2202292 Date: 06/10/22 20:15

Charge Information:

Statute: (2-0910) ATTEMPTED FIRST DEGREE MURDER
LCR: (0411) Aggr Assault - Firearm - On Citizen
Instr: (DCW) DISTRICT C Instr No:221001314682

Statute: (2-0910) ATTEMPTED FIRST DEGREE MURDER
LCR: (0411) Aggr Assault - Firearm - On Citizen
Instr: (DCW) DISTRICT C Instr No:221001314682

Statute: (2-0920) ATTEMPTED SECOND DEGREE MURDER

Report Made By 	Date 06/09/22	Approved By 	Date 06/20/22
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office
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Complaint Number 2203581	Date of Report 06/09/2022 14:36	Initial/Supplement Initial
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT GLINES, B (\$6516)	
Subject of Investigation MURDER - FIRST DEGREE		

LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)
Instr: (DCW) DISTRICT C Instr No:221001314682

Statute: (2-0920) ATTEMPTED SECOND DEGREE MURDER
LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)
Instr: (DCW) DISTRICT C Instr No:221001314682

Statute: (1-1420) ASSAULT-FIRST DEGREE
LCR: (0411) Aggr Assault - Firearm - On Citizen
Instr: (DCW) DISTRICT C Instr No:221001314682

Statute: (1-1420) ASSAULT-FIRST DEGREE
LCR: (0411) Aggr Assault - Firearm - On Citizen
Instr: (DCW) DISTRICT C Instr No:221001314682

Statute: (1-1415) ASSAULT-SECOND DEGREE
LCR: (0411) Aggr Assault - Firearm - On Citizen
Instr: (DCW) DISTRICT C Instr No:221001314682


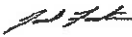
Statute: (1-1415) ASSAULT-SECOND DEGREE
LCR: (0411) Aggr Assault - Firearm - On Citizen
Instr: (DCW) DISTRICT C Instr No:221001314682

Statute: (1-5299) FIREARM USE/FELONY/VIOLENT CRIME
LCR: (1590) Weapons - Other Offense
Instr: (DCW) DISTRICT C Instr No:221001314682

Statute: (1-0990) MURDER - FIRST DEGREE
LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-0990) MURDER - FIRST DEGREE
LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)
Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-0990) MURDER - FIRST DEGREE
LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)

Report Made By 	Date 06/09/22	Approved By 	Date 06/20/22
SGT GLINES, B (\$6516)	06/09/22	LT FOOTEN, J (\$6317)	06/20/22



Washington County Sheriff's Office

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Complaint Number	Date of Report	Initial/Supplement
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CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1107) MURDER-SECOND DEGREE

LCR: (0111) Murder / Non-negligent Manslaughter - Firearm

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1107) MURDER-SECOND DEGREE

LCR: (0111) Murder / Non-negligent Manslaughter - Firearm

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1107) MURDER-SECOND DEGREE

LCR: (0111) Murder / Non-negligent Manslaughter - Firearm

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1420) ASSAULT-FIRST DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1420) ASSAULT-FIRST DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1420) ASSAULT-FIRST DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1415) ASSAULT-SECOND DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1415) ASSAULT-SECOND DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1415) ASSAULT-SECOND DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
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Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Statute: (2-0910) ATTEMPTED FIRST DEGREE MURDER

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (2-0920) ATTEMPTED SECOND DEGREE MURDER

LCR: (0115) Murder / Non-negligent Manslaughter - Other (non traffic)

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1420) ASSAULT-FIRST DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1415) ASSAULT-SECOND DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1425) RECKLESS ENDANGERMENT

LCR: (2658) Other Offenses - Reckless Endangerment

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1420) ASSAULT-FIRST DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1415) ASSAULT-SECOND DEGREE

LCR: (0411) Aggr Assault - Firearm - On Citizen

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1425) RECKLESS ENDANGERMENT

LCR: (2658) Other Offenses - Reckless Endangerment

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-0175) HANDGUN: WEAR/CARRY ; TRANSPORT IN VEHICLE/PUBLIC ROADS, ETC

LCR: (1512) Weapons - Carrying Concealed - Handgun

Instr: (DCW) DISTRICT C Instr No:221001314671

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number 2203581	Date of Report 06/09/2022 14:36	Initial/Supplement Initial
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT GLINES, B (S6516)	
Subject of Investigation MURDER - FIRST DEGREE		

Statute: (1-1454) LOADED HANDGUN IN VEHICLE

LCR: (1522) Weapons - Possession - Handgun

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-5212) WEAR, CARRY AND TRANSPORT HANDGUN UPON THEIR PERSON

LCR: (1512) Weapons - Carrying Concealed - Handgun

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-1455) LOADED HANDGUN ON PERSON

LCR: (1522) Weapons - Possession - Handgun

Instr: (DCW) DISTRICT C Instr No:221001314671

Statute: (1-5299) FIREARM USE/FELONY/VIOLENT CRIME

LCR: (1590) Weapons - Other Offense

Instr: (DCW) DISTRICT C Instr No:221001314671

Property Other:

Class: (K) Safe Keeping

Type: ()

Tag#: Oneil1

Description:

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (K) Safe Keeping

Type: ()

Tag#: Dawn1

Description:

Quantity:

Value:

Serial No:

Make/Brand:


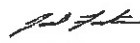
Model:

NCIC No:

List of Exhibits:

Class: (E) Evidence

Type: ()

Report Made By 	Date 06/09/22	Approved By 	Date 06/20/22
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

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CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Tag#: Documents1

Description:

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: BM1

Description:

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: BM2

Description:

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: BM6

Description:

Black nylon belt

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: BM7

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



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Complaint Number 2203581	Date of Report 06/09/2022 14:36	Initial/Supplement Initial
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Subject of Investigation MURDER - FIRST DEGREE		

Description:

Blue handkerchief

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: BM3

Description:

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: BM4

Description:

Brown work boots (2)

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: BM5

Description:

White socks (2)

Quantity:

Value:

Serial No:

Make/Brand:

Model:



NCIC No:

Class: (E) Evidence

Type: ()

Tag#: SWAT1

Description:

Report Made By 	Date 06/09/22	Approved By 	Date 06/20/22
SGT GLINES, B (\$6516)	06/09/22	LT FOOTEN, J (\$6317)	06/20/22



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Complaint Number 2203581	Date of Report 06/09/2022 14:36	Initial/Supplement Initial
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Two SWAT bandages (tourniquets)

Quantity:
Serial No:
Model:
NCIC No:

Value:
Make/Brand:

Class: (E) Evidence
Tag#: Medical1
Description:

Type: ()

Several pieces of gauze

Quantity:
Serial No:
Model:
NCIC No:

Value:
Make/Brand:

Class: (E) Evidence
Tag#: BM8
Description:

Type: ()

Brown leather belt

Quantity:
Serial No:
Model:
NCIC No:

Value:
Make/Brand:

Class: (E) Evidence
Tag#: Medical2
Description:

Type: (77) Other


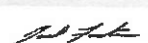
Olaes Bandage and wrapper

Quantity:
Serial No:
Model:
NCIC No:

Value:
Make/Brand:

Class: (E) Evidence
Tag#: Forensic1
Description:

Type: ()

Report Made By 	Date 06/09/22	Approved By 	Date 06/20/22
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



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CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
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MURDER - FIRST DEGREE		

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CS_11

Description:

CS_11 Cellphone recovered from scene at 2331 hours by WMRL

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CS_15

Description:

CS_15 Cellphone recovered from scene at 2331 hours by WMRL

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CS_16

Description:

CS_16 cellphone recovered from scene at 2331 hours by WMRL

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CS_17

Description:

CS_17 Cellphone recovered from scene at 2331 hours by WMRL

Quantity:

Value:

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



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Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF1

Description:

Blue work pants with black belt

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF2

Description:

Blue bower briefs

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF3

Description:

Grey undershirt

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF4

Description:

Blue and grey work shirt

Quantity:

Value:

Serial No:

Make/Brand:

Report Made By	Date	Approved By	Date
	06/09/22		06/20/22
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number 2203581	Date of Report 06/09/2022 14:36	Initial/Supplement Initial
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Subject of Investigation MURDER - FIRST DEGREE		

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF5

Description:

White socks

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF6

Description:

Dark colored work boots

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF7

Description:

Nail clippers

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF8

Description:

Right fingernails


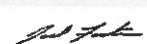
Quantity:

Value:

Serial No:

Make/Brand:

Model:

Report Made By 	Date 06/09/22	Approved By 	Date 06/20/22
SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



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500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number 2203581	Date of Report 06/09/2022 14:36	Initial/Supplement Initial
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT GLINES, B (\$6516)	
Subject of Investigation MURDER - FIRST DEGREE		

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF9

Description:

Left fingernails

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF10

Description:

Blood card

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF11

Description:

Separated bullet core and jacket from left face

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: MF12

Description:

Deformed jacketed bullet from right anterior neck

Quantity:


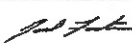
Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Report Made By 	Date 06/09/22	Approved By 	Date 06/20/22
SGT GLINES, B (\$6516)	06/09/22	LT FOOTEN, J (\$6317)	06/20/22



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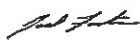
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Subject of Investigation MURDER - FIRST DEGREE		

Class: (E) Evidence Type: ()
Tag#: MF13
Description:
Deformed jacketed bullet left lower chest
Quantity: Value:
Serial No: Make/Brand:
Model:
NCIC No:

Class: (E) Evidence Type: ()
Tag#: MF14
Description:
Separated bullet core and jacket-L2 vertebra and surrounding soft tissue
Quantity: Value:
Serial No: Make/Brand:
Model:
NCIC No:

Class: (E) Evidence Type: (77) Other
Tag#: MF15
Description:
Bags used to transport evidence from OCME
Quantity: Value:
Serial No: Make/Brand:
Model:
NCIC No:

Class: (E) Evidence Type: ()
Tag#: CM1
Description:
Black & brown work boots
Quantity: Value:
Serial No: Make/Brand:
Model:
NCIC No:

Report Made By 	Date 06/09/22	Approved By 	Date 06/20/22
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Subject of Investigation		
MURDER - FIRST DEGREE		

Class: (E) Evidence

Type: ()

Tag#: CM2

Description:

White socks

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM3

Description:

White & black boxer briefs

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM4

Description:

Blue jeans and belt

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM5

Description:

Green tshirt

Quantity:

Value:

Serial No:


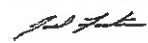
Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Report Made By	Date	Approved By	Date
			
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Subject of Investigation MURDER - FIRST DEGREE		

Tag#: CM6

Description:

Nail clippers

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM7

Description:

Right fingernails

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM8

Description:

Left fingernails

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM9

Description:

Blood card

Quantity:

Value:

Serial No:

Make/Brand:


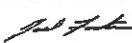
Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM10

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CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Description:

Deformed jacketed bullet-left back

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM11

Description:

Deformed jacketed bullet-left chest

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: CM12

Description:

Deformed jacketed bullet-left neck

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: (77) Other

Tag#: CM13

Description:

(2) two yellow foam ear plugs from shirt pocket

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: (77) Other

Tag#: CM14

Description:

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Subject of Investigation MURDER - FIRST DEGREE		

Bags used to transport evidence from OCME

Quantity: Value:
Serial No: Make/Brand:
Model:
NCIC No:

Class: (E) Evidence Type: ()
Tag#: JW1
Description:

Black work pants with brown belt

Quantity: Value:
Serial No: Make/Brand:
Model:
NCIC No:

Class: (E) Evidence Type: ()
Tag#: JW2
Description:

Dark colored tshirt

Quantity: Value:
Serial No: Make/Brand:
Model:
NCIC No:



Class: (E) Evidence Type: ()
Tag#: JW3
Description:

Grey underwear

Quantity: Value:
Serial No: Make/Brand:
Model:
NCIC No:

Class: (E) Evidence Type: ()
Tag#: JW4
Description:

(1) pair of black socks

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Subject of Investigation		
MURDER - FIRST DEGREE		

Quantity:
Serial No:
Model:
NCIC No:

Value:
Make/Brand:

Class: (E) Evidence
Tag#: JW5
Description:
(1) pair of brown work boots

Type: ()

Quantity:
Serial No:
Model:
NCIC No:

Value:
Make/Brand:

Class: (E) Evidence
Tag#: JW6
Description:
Nail clippers

Type: ()

Quantity:
Serial No:
Model:
NCIC No:

Value:
Make/Brand:

Class: (E) Evidence
Tag#: JW7
Description:
Right fingernails

Type: ()

Quantity:
Serial No:
Model:
NCIC No:

Value:
Make/Brand:

Class: (E) Evidence
Tag#: JW8
Description:
Left fingernails

Type: ()

Quantity:

Value:

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Subject of Investigation		
MURDER - FIRST DEGREE		

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: JW9

Description:

Blood card

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: JW10

Description:

Deformed jacketed bullet from left chest soft tissue

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: JW11

Description:

Deformed jacketed bullet from pants

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: JW12

Description:

Deformed jacketed bullet from anterior left fifth rib

Quantity:

Value:

Serial No:

Make/Brand:

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Subject of Investigation		
MURDER - FIRST DEGREE		

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: JW13

Description:

Grey metal fragment from right arm \Large\

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: JW14

Description:

Separated bullet jacket from lateral left chest soft tissue and core from right lung

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: (77) Other

Tag#: JW15

Description:

Bags used to transport evidence from OCME

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: AP-1

Description:

FLASH DRIVE CONTAINING AUTOPSY PHOTOGRAPHS

Quantity:

Value:

Serial No:

Make/Brand:

Model:

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Subject of Investigation		
MURDER - FIRST DEGREE		

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: BC-1

Description:

FLASH DRIVE CONTAINING BODY CAMERA FOOTAGE FROM CHIEF MARKER

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Class: (E) Evidence

Type: ()

Tag#: JE-cell

Description:

Black Samsung Galaxy Cell Phone

Quantity:

Value:

Serial No:

Make/Brand:

Model:

NCIC No:

Action Taken:

On Thursday, June 9, 2022, Officer Jerry Morales of the Smithburg Police Department responded to Columbia Machine Inc., located at the address for a report of an active shooter.

At approximately 2:38 PM, Officer Morales arrived and observed no activity at this location. Officer Morales then observed three subjects in a field between the business and Bikle Road.

One subject, later identified as Brandon Chase Michael, a with the was lying upon the ground face up with two other males who were attending to him. Officer Morales approached the subjects and asked, "shooter?!" and was informed Brandon was a victim of a gunshot wound.

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Subject of Investigation		
MURDER - FIRST DEGREE		

Officer Morales observed gunshots to Brandon's
Officer Morales placed a tourniquet to Brandon's high on the shoulder and another
off-duty civilian/EMT applied his tourniquet to Brandon's Brandon was
eventually transported to Meritus Medical Center to be treated for his wounds.

Chief Robert Marker, of the Smithsburg Police Department, arrived at Columbia Machine Inc., along with Officer Morales. Chief Marker observed Officer Morales tending to a victim in the field outside of the building. That victim was identified as Brandon Michael. Chief Marker then observed a male walking from the entrance of the building towards Officer Morales.

Chief Marker contacted the approaching male, identified later as Tom Andrew Neil, who is the General Manager of Columbia Machine Inc. Tom told Chief Marker that there were three victims inside the building in the break room. Chief Marker asked Tom if the suspect was in the area still, and Tom advised that the suspect had fled in an with damage to the passenger side of the vehicle.

Chief Marker entered the building and contacted a female at the front desk. That female was later identified as Dawn Marie Greene,
. Chief Marker continued through the building and entered the shop area where he observed two deceased males lying on the floor near an interior room inside of the shop area. Chief Marker looked into the interior room, which was determined to be a break room, and observed third male subject that was obviously deceased lying in the floor in the break room.

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Chief Marker met with Tom, the General Manager, in the front office area and requested full information of the suspect and the victims. Tom was able to print off the suspects information, however he was not able to obtain the victims information due to a computer issue. Deputy Javier Montenegro contacted Chief Marker and inquired if all of the employees were accounted for. Tom told Chief Marker that an employee named "Hunter" was unaccounted for at that time. Chief Marker looked through the building for "Hunter", eventually locating "Hunter" hiding behind a green roll off canister. Hunter was later identified as Hunter Michael Schlotterbeck,



Chief Marker confirmed that Hunter was not injured and walked him out of the crime scene area for Hunter to later be interviewed by Detectives.

Detectives from the Washington County Sheriff's Office learned of this incident and began to respond to Columbia Machine Inc. As Detectives were responding, at that time there was limited information regarding what had occurred or who the suspect was.

At approximately 2:30 PM Detective Clayton Stottlemeyer of the Washington County Sheriff's Office responded to Columbia Machine, located
for the report of an active assailant. Upon arrival at the address, Detective Stottlemeyer assisted Captain Mark Knight, Sergeant Alan Matheny, and Detective Casey Swope in clearing the business.

While clearing the structure Detective Stottlemeyer observed two, obviously deceased in a garage bay of the business. It is to be noted that several spent casings were observed near both males and strewn throughout the garage bay. Once the business was deemed secure, Detectives began to interview witnesses outside of the business.

Detective Stottlemeyer interviewed the general manager of Columbia Machine, Tom Andrew Neil,
Tom reported that he arrived at

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Subject of Investigation		
MURDER - FIRST DEGREE		

Columbia Machine at approximately 7:00 AM on June 9, 2022, as he normally does. Tom shared that his employees were already at the business and were actively working. Further, Tom stated that his employees always arrive to work one-hour prior to him.

Moreover, Tom reported that once he arrived at the business, he proceeded to complete a walk-through of the work floor. While walking the work floor, Tom went through and talked to his employees. Eventually, Tom went to his office and began working on quotes and other miscellaneous administrative duties.

Tom shared that as the work day progressed, he completed several walk throughs of the work floor and spoke to all of his employees. Tom estimated that at approximately 2:00 PM, he returned to his office to conduct a conference call. Tom reported between 2:30 PM and 2:40 PM, he heard several gun shots coming from the work floor. Tom estimated that the gunfire was rapid, and he estimated that twelve total rounds were fired with a brief intermission between gunfire. Further, Tom reported that as the shooting began, he ran to the office adjacent to his to contact an employee named Dawn.

Upon contact with Dawn, Tom directed her to call 911 to report the incident. While conversing with Dawn, Tom observed an employee, Brandon Michael, fleeing from the work floor to a field adjacent to the business. Tom reported that he ran outside to contact Brandon in order to determine what was happening and learned that an employee, "Joe Esquivel", was actively shooting at employees on the work floor. Tom followed Brandon into the field and had him lay down, as he had been shot. Joe was later identified as Joe Louis Esquivel,

Tom reported that as he and Brandon lay in the field, he observed Joe fleeing the business in an . Tom noted that he last saw Joe traveling on Bikle Road towards Smithsburg Pike.

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Subject of Investigation		
MURDER - FIRST DEGREE		

Furthermore, Tom reported that once Joe fled from the scene, he went back to the business in order to ensure 911 was called. After doing so, Tom walked through the business to count his employees. In doing so, Tom observed that employees Mark Frey, Josh Wallace, and Charles Minnick were deceased in the business. After all employees were accounted from, Tom exited the business and waited on Law Enforcement to arrive.

The deceased were later identified as Mark Alan Frey
, Charles Edward Minnick Jr,
and Joshua Robert Wallace,
victims sustained gunshot wounds.

All three

Detective Swope the located a witness that was working across the street at Mace Auto Body. The witness identified himself as Lloyd Daniel Martz,


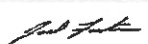
Lloyd stated he heard what he thought was an "air nailer" going off multiple times. Lloyd explained he looked across the street and observed men running from the building and trying to hide in the field. Lloyd stated he then saw a

"fly" down the business lane towards Bikle Road. Lloyd stated he ran across the street to the men located in the field and helped rendered aid.

At approximately 3:15 P.M, Detective Swope spoke to Dawn Marie Greene,

Dawn stated she is the office manager for the business. Dawn explained she was sitting in her office talking to "Mannie" who was later identified as Manuel E Mendez. Dawn explained she heard a loud bang that went off approximately six (6) to seven (7) times. Dawn stated the General Manager Tom, who was identified as Tom Andrew Neil, came over to her location and asked, "What was that?"

Dawn stated while she was calling 911, she saw Brandon, who was later identified as

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Subject of Investigation		
MURDER - FIRST DEGREE		

Brandon Chase Michael, , running outside past her window. Dawn then observed "Joe's" car leave the business traveling towards Bikle Road. It should be noted that Joe was identified "Joe" as Joe Esquivel. Dawn stated "Joe" parked his car beside the white Ford pick-up truck to the northside of the building.

Detective Swope asked Dawn if there have been any issues with "Joe" or any other workers. Dawn stated she did not know of any issues. Dawn explained "Joe" had started coming into work late, but this week had been fine, and he was on time. Dawn stated she believes that "Joe" lives in West Virginia and she didn't know much about him or any family.

At approximately 2:36 PM Detective Andrew Koontz and Detective Sergeant Bryan Glines were informed that there were numerous casualties at Columbia Machine Inc., on Bikle Road, and were enroute to that scene. As Detective Glines and Detective Koontz were enroute they learned that the suspect was operating an westbound on Jefferson Boulevard.

Detectives were then informed that Maryland State Police Troopers had contacted the suspect vehicle at the traffic circle at Mapleville Road and Mount Aetna Road. Detective Glines and Detective Koontz were not far from that location, therefore they diverted to that scene to assist as needed.

Detectives learned that the suspect vehicle, , was driven by Joe Esquivel, and was involved in a shooting with Maryland State Troopers. Detectives learned that Joe was ultimately shot in return fire by Maryland State Police and was being treated by EMS at the scene. Officers located an , on the ground near Joe which was seized by Maryland State Police as evidence.

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
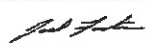
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Subject of Investigation MURDER - FIRST DEGREE		

Detective Glines and Detective Koontz arrived at the scene at Mapleville Road and Mount Aetna Road and observed numerous police vehicles and a large full size . There was a in the truck that appeared shaken and indicated that she was a witness. Detective Koontz walked over to the truck and the female identified as Ashley Nichole Palmer,

Ashley said that she was driving in her vehicle and there was an car in front of her truck. When traveling in the area of the traffic circle she witnessed a Police cruiser travel past her vehicle with lights and sirens and drive in front of the vehicle causing it to stop. Ashley said that she witnessed police get out of the cruiser and then she heard an exchange of gunfire. Ashley said that she witnessed the driver of the vehicle put his hands out the driver's side window of the vehicle. Ashley said that she believed there might have been more shots fired. Ashley said that an unmarked police truck then pulled up behind the car and blocked her vision. Ashley said she saw a Trooper that she believed suffered a gunshot wound and officers began caring for him. Ashley did not witness anything further but was instructed to stay on scene to speak with Maryland State Police Detectives.

Detective Glines learned that Joe Esquivel was going to be transported to Meritus Medical Center for treatment. Detective Glines instructed Deputy Nolan Carbaugh to ride with Joe in the ambulance to Meritus Medical Center.

Deputy Carbaugh later advised that while enroute to Meritus Medical Center Joe stated, "you need to raid my neighbor's house there are unregistered firearms and suppressors" the suspect continued to state, "The people I shot were pedophiles." Deputy Carbaugh arrived at Meritus Medical Center where Joe was treated for his injuries. Detective Glines later reviewed the body camera footage from Deputy Carbaugh. Refer to Detective Glines' supplemental report for details regarding the statements made by Joe Esquivel while in the ambulance.

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SGT GLINES, B (\$6516)	06/09/22	LT FOOTEN, J (\$6317)	06/20/22



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
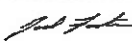
Complaint Number 2203581	Date of Report 06/09/2022 14:36	Initial/Supplement Initial
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT GLINES, B (\$6516)	
Subject of Investigation MURDER - FIRST DEGREE		

At approximately 3:30 P.M. Detective Sergeant Chris Weaver and Detective Sergeant Howard Ward responded to Meritus Medical Center located at
Detective Ward and Detective Weaver contacted Brandon Chase Michael,

Brandon explained to Detective Weaver that around 2:30 P.M., he "Josh, CJ, Mark and Hunter" went into the break room. Brandon stated he was sitting at a table looking down at his phone when he heard four (4) gunshots. Brandon looked up and saw "Joe" walking into the breakroom holding a gun. Brandon stated he felt himself get hit by a bullet and then got up and ran out of the room. Brandon stated "Joe" was holding a handgun. Brandon stated he knows and works with "Joe."

Detective Glines and Detective Koontz were informed that this scene was being handled by Maryland State Police. As a result, Detectives Koontz and Glines immediately responded to the address on

Whenever Detective Glines and Detective Koontz arrived at Detective Koontz was directed to a witness of the shooting who would be identified as Manuel E. Mendez, a Detective Koontz asked Manuel if he could record the conversation and he agreed. Manuel said that he was getting ready to leave work for the day and was talking to a female in the office. Manuel said that he heard gunshots or loud banging coming somewhere in the building. Manuel said that he opened a door and observed a co-worker he knows as "Joe" actively shooting at people in the place of business. Manuel said that he observed Joe holding a handgun and then he immediately began running out of the building.

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2203581	06/09/2022 14:36	Initial
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		


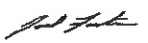
Manuel said that he ran out of the building with other employees into a field in the direction of Bikle Road. Another employee he knows as "Branden" suffered a gunshot wound to the and Manuel took off his belt and began using it as a tourniquet. Manuel said that he witnessed "Joe" leave the business in the car that he knows is "Joes". Manuel witnessed "Joe" turn left onto Jefferson Boulevard out of his view.

Detective Koontz talked about Joe's employment with the business, and he said that Joe was a machinist the company and other than just being relatively a quiet person he didn't really know much about Joe. Manuel said that on this date in question Joe was working and there were no real issues at work. Manuel did say that Joe messed up something on a part that he was making, and Joe came to Manuel about it. Manuel said that it was really no big deal, and no one confronted him about it or got into an argument about it. Manuel said that at approximately 10 minutes later is when Joe started shooting. Manuel was later transported to the Smithsburg Police Department.

Detective Jason Ackerman, from Hagerstown City Police Department, was assisting Detectives at Columbia Machine Inc., spoke with Hunter Michael Schlotterbeck, , who is a CNC machinist at Columbia Machine Inc. and has been there for approximately 1 year.

Hunter advised that on June 9, 2022, during their 2:30 PM break in the break room in the designated break room located in the southeast corner of Columbia Machine, Inc. Hunter described the break room as an isolated room having two exits/entrances. One of the exits/entrances is located on the north side of the room that leads to the bay opening to the north side of the building. The second exit/entrance is on the east side of the room that leads to the south side of the building.

Hunter recalled being on break with his fellow co-workers, 'CJ', 'Manuel', 'Josh', 'Brandon', and 'Mark'. Hunter stated that he (Hunter) was seated by the water cooler when

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Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

he observed another co-worker, 'Joe', enter the break room from the north exit/entrance of the room. Hunter advised that Joe was in the possession of a that Joe fired 2 to 3 times in the break room. Hunter believed that he watched 'Mark' and 'Brandon' fall to the floor as Hunter turned towards the east side exit. As hunter fled the building he heard 2 to 3 more gunshots being fired.

Hunter made his way out of the bay opening on the south side of the building and hid behind a large trailer sized refuse container. Hunter ran around the east side of the building to the north side, where he encountered Joe running out of the bay opening on the north side of the building. Hunter advised that Joe pointed the black pistol at Hunter, at which time Hunter ducked behind some pallets for cover. No additional shots were fired.

Hunter watched Joe get into his , that had a , and flee the scene in the vehicle. Hunter then was able to call 911 to report this incident. For further details regarding the interview with Hunter, refer to the supplemental report provided by Detective Ackerman.

Once all witnesses were spoken to regarding the shooting, Detective Glines began to author an application for an arrest warrant for Joe Esquivel. As Detective Glines was preparing this document, Detective Glines learned that there was confusion on who Joe Esquivel actually was. There was another person named Jose Alfredo Esquivel, . This contradicted what had been told, therefore Detectives worked to determine which Joe Esquivel was in custody. Through extensive research, it was found that Joe Louis Esquivel, with the date of birth of , was the correct name to the suspect in custody.

Detective Glines obtained an ARREST WARRANT for Joe Esquivel be charged with all applicable charges based on the information herein.

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2203581	06/09/2022 14:36	Initial
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CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Detective Glines received information during the infancy stages of this investigation that Joe Esquivel was relaying information to Deputy Carbaugh that there could be more than one active threat. Detective Glines learned that Joe was giving information that the police needed to raid houses in his neighborhood.

Detectives were told that there was a male named, "John Wieman" who lived somewhere near Joe that Joe had purchased illegal automatic weapons from. Detectives were researching any information that they could find to identify and locate John Wieman. Detective Glines also found that Joe's address is . Detective Glines contacted Detective Thomas Funk, with Berkeley County Sheriff's Office in West Virginia, for assistance in securing that residence. It was believed that there could be more illegal firearms or any evidence of planning of this incident at that address.

On June 9, 2022, at approximately 5:51 PM, Detective Funk contacted Detective Glines and advised that Deputies from the Berkeley County Sheriff's Office had the address secured. Detective Funk told Detective Glines that inside of the residence Deputies located , Jose Perez Esquivel, , and Ashley Rachell Esquivel, . Detective Glines later provided a narrative to this incident to Detective Funk for Detectives in West Virginia to author a search and seizure warrant.

Sergeant Edward Witanowski, from the Maryland State Police, conducted a search of the name "John Wieman" through computer databases and was able to locate a male named John Jacob Wieman III, who resides at the . Detective Glines provided this information to Detective Funk who then had Deputies secure that residence as well.

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Subject of Investigation		
MURDER - FIRST DEGREE		

Due to information obtained through this investigation, with the statements made by Joe Esquivel, Detectives in West Virginia were able to obtain a search and seizure warrant for John Wieman's address as well. Detective Funk located numerous firearms from both John Wieman's address as well as from Joe Esquivel's address. Detective Funk later provided Detective Glines with reports that detailed the events that occurred in West Virginia during this investigation. Also, Detective Sergeant Howard Ward was present during the search of Joe Esquivel's residence. Refer to Detective Ward's supplemental report for further details.

Detective Lieutenant Joel Footen spoke with FBI Agent Karen Cody, who advised that due to the severity of this crime scene that the FBI would provide a team of Crime Scene Technicians to assist with processing the scene. Crime Scene Technician Amy Adamson and Crime Scene Technician Rebecca Anderson from the Western Maryland Crime Laboratory arrived at Columbia Machine Inc. and contacted the FBI Crime Scene Technicians to work alongside of them. As the Crime Scene Technicians began to work through the Crime Scene, Detectives from the Washington County Sheriff's Office were able to walk through the scene as well.

Detective Glines entered the garage bay door located to the north of the building and walked onto the main floor of the shop. Detective Glines observed across the interior of the building two deceased males lying on the floor outside of the break room. Detective Glines identified Charles Minnick, Jr. lying on the floor face down near the exit/entrance to the east side of the break room. Just north of Charles, Detective Glines identified Joshua Wallace lying face down on the floor as well. Both Charles and Joshua were face down in a pool of blood. Detective Glines walked into the break room and observed Mark Frey lying on the floor on the southwest side of the room, face down. Mark was also lying in a pool of blood. All three victims suffered multiple gunshot wounds.

Detectives also located four cellular telephones in the break room, one being identified as Brandon Michael's cellular telephone. Those phones were collected by the Western Maryland Crime Laboratory and handed to Detectives. Brandon Michael had his cell phone returned to him at Meritus Medical Center at a later time. The other three phones have

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CLOSED BY ARREST - ADULT	SGT GLINES, B (\$6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

been identified as Mark Frey, Charles Minnick, and Joshua Wallace's cell phones. Those cell phones have been placed into Washington County Sheriff's Office property.

Detectives walked through the building and observed front offices that belonged to Tom, the General Manager, and Dawn, the secretary of Columbia Machine, Inc. Detectives observed Dawn's purse sitting on her desk, which was retrieved by Detectives and later returned to Dawn. Detectives also located a cellular telephone on the desk that belonged to Tom. That cell phone was also collected and later returned to Tom.

Detectives found a printout of the background information from Columbia Machine, Inc., for Joe Esquivel. This printout had the personal information of Joe to include full name, address, date of birth, telephone number, email address, and his signature. At the top of the printout the word, "Suspect", is written and underlined. Detective Glines later learned that Chief Marker was obtaining that information from Tom before exiting the building, however Chief Marker left that paper on the desk. This paper was collected as evidence.

Once the FBI and Western Maryland Crime Laboratory were finished processing the scene, Forensic Examiner Bradley Dwyer arrived to do an examination Mark Frey, Charles Minnick, and Joshua Wallace. Once Bradley Dwyer was finished, all three were transported to the Chief Medical Examiner's Office in Baltimore, Maryland, for autopsies. The transport company, Heartfelt Livery Service, transported all three victims. The medical examiner's report numbers for each are the following: Mark Frey (22-07895), Charles Minnick (22-07896), and Joshua Wallace (22-07892).

On Friday, June 10, 2022, at approximately 8:15 PM, Deputy Michael Hill of the Washington County Sheriff's Office, responded to Meritus Medical Center and served Joe Esquivel with the arrest warrants stemming from the Bikle Road incident and the investigation being handle by Maryland State Police at the traffic circle. Based on the bedside commitment,

Report Made By	Date	Approved By	Date
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
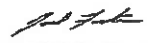
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2203581	06/09/2022 14:36	Initial
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Subject of Investigation		
MURDER - FIRST DEGREE		

Correctional Deputies from the Washington County Sheriff's Office were stationed with Joe until his eventual release from Meritus on Sunday, June 12th, 2022. Joe was then transported to the Washington County Detention Center where he is currently being held with no bond.

On June 10, 2022, Detective Clayton Stottlemeyer responded to the Chief Medical Examiner's Office in Baltimore, Maryland. Detective Stottlemeyer collected evidence from the Medical Examiner's Office for each victim and transported those items to the Washington County Sheriff's Office. Detective Glines assisted Detective Stottlemeyer in placing the clothing for each victim in drying stations. Detectives used two drying stations at the Hagerstown City Police Department and one drying station from the Washington County Sheriff's Office. Refer to Detective Stottlemeyer's supplemental report for further details.

This case is to remain open.

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SGT GLINES, B (S6516)	06/09/22	LT FOOTEN, J (S6317)	06/20/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_4	06/10/2022 11:06	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP STOTTLEMYER, C (S8041)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 09, 2022, Detective Stottlemeyer responded to Columbia Metal, located for the report of an active assailant. Upon arrival at the aforementioned address, Detective Stottlemeyer assisted Captain M. Knight, Sergeant A. Matheny, and Detective C. Swope in clearing the business.

While clearing the structure Detective Stottlemeyer observed two, deceased in a garage bay of the business. It is to be noted that several spent casings were observed lying in the vicinity of the , as well as throughout the garage bay. Once the business was deemed secure, Detective Stottlemeyer proceeded to interview witnesses to the incident.

In doing so, Detective Stottlemeyer interviewed Tom Andrew Neil, the general manager of Columbia Metal. Tom reported that he arrived at at approximately 0700 hours, as he normally does. Tom shared that his employees were already at the business and were actively working. Further, Tom stated that his employees always arrive to work one-hour prior to him.

Moreover, Tom reported that once he arrived at the business, he proceeded to complete a walk-through of the work floor. While walking the work floor, Tom went through and talked to his employees. Eventually, Tom went to his office and began working on quotes and other miscellaneous administrative duties.

Report Made By	Date	Approved By	Date
M/DEP STOTTLEMYER, C (S8041)	06/10/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number 2203581_4	Date of Report 06/10/2022 11:06	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By M/DEP STOTTLEMYER, C (S8041)	
Subject of Investigation MURDER - FIRST DEGREE		


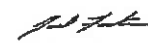
Tom shared that as the work day progressed, he completed several walk through of the work floor and spoke to all of his employees. Tom estimated that at approximately 1400 hours he returned to his office to conduct a conference call. Tom reported between 1430 and 1440 hours, he heard several gun shots coming from the work floor. Tom reported that the gunfire was rapid and he estimated that twelve total rounds were fired with a brief intermission between lulls of gunfire. Further, Tom reported that as the shooting began, he ran to the office adjacent to his to contact an employee named Dawn.

Upon contact with Dawn, he directed her to call 911 to report the incident. While conversing with Dawn, Tom observed an employee, Brandon Michael, fleeing from the work floor to a field adjacent to the business. Tom reported that he ran outside to contact Brandon in order to determine what was happening and learned that an employee, Joe Esquivel, was actively shooting at employees on the work floor. Tom followed Brandon into the field and had him lay down, as he had been shot.

Tom reported that as he had Brandon lay in the field, he observed Joe fleeing the business in an
Tom noted that he last saw Joe traveling on

Furthermore, Tom reported that once Joe fled from the scene, he went back to the business in order to ensure 911 was called. After doing so, Tom walked through the business to count his employees. In doing so, Tom observed that employees Mark Frey, Josh Wallace, and Charles Minnick were deceased in the business. After all employees were accounted from, Tom exited the business and waited on Law Enforcement to arrive.

In addition to obtaining the aforementioned information from Tom, Detective Stottlemeyer asked Tom to describe what kind of employee Joe was. As a result, Tom reported that Joe had been employed by _____ for approximately seven months as a machine operator. Tom shared that Joe was quiet and stayed to himself. Further, Tom reported that Joe did not display any indicators that would have made Tom worry that he was going to commit violence in the workplace. Tom noted that Joe was satisfactory employee and his employee performance evaluations were positive.

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M/DEP STOTTLEMYER, C (S8041)	06/10/22	LT FOOTEN, J (S6317)	06/17/22





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Subject of Investigation		
MURDER - FIRST DEGREE		

Please see Detective Sergeant Glines report for additional details.

Report Made By	Date	Approved By	Date
			
M/DEP STOTTLEMYER, C (S8041)	06/10/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_7	06/11/2022 08:57	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC MONTENEGRO, J (S9679)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (Y)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9th, 2022 at approximately 1436 hours, Deputy First Class Javier Montenegro of the Washington County Sheriff's Office was working at his regularly assigned post at Meritus Medical Center when a call for an active shooter came out over police radio dispatch. DFC Montenegro, aided by the Computer Aided Dispatch system in his patrol vehicle, saw that he was one of the closest units to the scene of the call, located at so he responded to the scene. While en route to the scene, the Washington County Emergency Communications Center gave a description of a fleeing suspect vehicle, which was an o DFC Montenegro did not see the suspect vehicle while en route to the scene.

Upon arrival, DFC Montenegro observed a Smithsburg Police Officer in a field in front of , who was rendering medical assistance to an individual on the ground. The Smithsburg Police Officer yelled to DFC Montenegro that there may be more victims inside the building at the same address. DFC Montenegro ran into the building with an active assailant medical bag and first encountered office manager Dawn Greene who told DFC Montenegro that there were victims in the work area. DFC Montenegro continued to the work area where he saw Smithsburg Police Chief Marker and another (later identified as general manager Tom Andrew Neil) and they motioned towards the corner of the building where the break room is. DFC Montenegro saw two males on the ground with what appeared to be multiple gunshot wounds. DFC Montenegro checked for signs of life, but they both appeared to be obviously deceased. DFC Montenegro observed just inside the break room that there was a third , also with gunshot wounds, and also obviously deceased.

An Emergency Medical Services paramedic arrived on scene immediately after DFC Montenegro, and DFC Montenegro asked him to verify that the victims were deceased beyond life saving

Report Made By	Date	Approved By	Date
DFC MONTENEGRO, J (S9679)	06/11/22	LT FOOTEN, J (S6317)	06/17/22




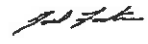
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CLOSED BY ARREST - ADULT	DFC MONTENEGRO, J (S9679)	
Subject of Investigation		
MURDER - FIRST DEGREE		

measures, which he confirmed. At this point, DFC Montenegro advised all individuals on scene to move away from the initial crime scene in an attempt to maintain the scene undisturbed. DFC Montenegro coordinated with the general manager to ensure that all remaining employees were accounted for, and gathered the four employees just outside the building. DFC Montenegro advised the four individuals that Criminal Investigations Unit detectives would be on scene shortly to interview them about the details of the event. DFC Montenegro advised them not to discuss the details between each other so as to maintain the integrity of each person's account. DFC Montenegro stood by with the four employees until CIU detectives arrived on scene and interviewed them individually.

DFC Montenegro transported Dawn Green and Manuel Mendez from the scene to the Smithsburg Police Department to await family members.

DFC Montenegro returned to Meritus Medical Center, where he maintained a police presence at the hospital until approximately 2330 hours, as a result of this case.

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DFC MONTENEGRO, J (S9679)	06/11/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_9	06/11/2022 10:18	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP WEAVER, M (S7852)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

On Thursday, June 9th, 2022 at approximately 1436 hours, Deputy Weaver of the Washington County Sheriff's Office was dispatched to for a report of an active shooter incident. While enroute to the scene, the Washington County Emergency Communications Center advised that the suspect was no longer on scene and had left the scene in an . Deputy Weaver would be traveling North bound on Mapleville Road (route 66) and assisted the Maryland State Police, who had located the suspect.

When Deputy Weaver arrived on the scene, members of the Maryland State Police had the suspect, later identified as Joe Louis Esquivel at gun point in the front driver seat of an bearing

Deputy Weaver held Joe Esquivel at gun point until he was extracted from the vehicle by the Maryland State Police. Joe Esquivel had two gun shot wounds that Deputy Weaver was able to observe. was lying on the ground next to the vehicle. The handgun was out of battery due to a weapon malfunction.

Members of the Maryland State Police then began to provide life saving measures on Joe Esquivel. During this time, Deputy Weaver would hear Joe Esquivel saying the following in an excited utterance: "just finish me off" and "put a bullet in me" "just kill me", "pretend I'm reaching for your weapon and finish me off", . At one point, Joes Esquivel stated "I'm going to tell you everything". Joe Esquivel would respond to a question asking how old he was with "23 just put me down, stop trying to save me and just kill me", "kill me kill me please. Don't worry about saving me and just kill me", "I'll tell you everything". Joes Esquivel also stated "promise you'll kill me if I tell you everything." and "you gotta tell the FBI whats gonna happen".

Report Made By	Date	Approved By	Date
<i>M/DEP Weaver</i>		<i>SGT Shank</i>	
M/DEP WEAVER, M (S7852)	06/11/22	SGT SHANK, S (S6931)	06/12/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_9	06/11/2022 10:18	Supplement
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CLOSED BY ARREST - ADULT	M/DEP WEAVER, M (S7852)	
Subject of Investigation		
MURDER - FIRST DEGREE		

A member of the Maryland State Police then handed Deputy Weaver a item that was around Joe Esquivel's neck and advised that Joe Esquivel needs it go with him and it will explain things. Deputy Weaver would place this item into a bag as evidence for the Maryland State Police.

Deputy Weaver then proceeded to use caution tape and close off of the crime scene. Deputy Weaver would then be released from the scene and would travel to to assist other units on the scene. Deputy Weaver would be directed to assist Deputy Everitts who was contacting family of the victims of the incident. Deputy Weaver traveled to

Deputy Weaver assisted Deputy Everitts until members of the Washington County Sheriff's Office Criminal Investigation Unit responded to make notifications of the life statuses of the victims.

Deputy Weaver then left and went to and secured the perimeter of the crime scene until relieved.

Report Made By	Date	Approved By	Date
<i>Michael Weaver</i>		<i>Shank</i>	
M/DEP WEAVER, M (S7852)	06/11/22	SGT SHANK, S (S6931)	06/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_10	06/11/2022 10:56	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC STOTLER, R (S8497)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (Y)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9, 2022, at approximately 1436 hours, I DFC Stotler was in route to for the report of an active shooter.

While in route to the scene, the Washington County Emergency Communications Center advised that the suspect had left the scene and gave a vehicle description of an traveling towards Smithsburg Pike. Minutes later while traveling north bound towards Smithsburg on Mapleville Road the Maryland State Police advised that they had come into contact with the vehicle and suspect. They also were advising gunfire was being exchanged between troopers and the suspect, with one trooper being shot.

With in minutes, I arrived on scene with multiple agencies and due to the scene still being unsecured, I pulled my cruiser down into an embankment along northbound Mapleville Road near the traffic circle so that I could tactfully seek cover while I prepared to deploy Mick out of my cruiser on lead to assist as a cover unit and secure the scene. Upon deploying Mick, I saw one suspect lying in between a unmarked police unit and the vehicle that fit that of the suspect vehicle which had crashed into another unmarked Maryland State Police Unit head on. The male suspect suffering from gunshot wounds was being treated by other units already on scene. Once the scene was established as secure, I returned to my marked patrol vehicle 2157 to secure Mick back in the cruiser.

From that point forward, I assisted in scene security while EMS responded to treat the suspect and retrieved a crime scene log for WCSO Detective Sergeant Ward to start completing while the investigation began. Once the Maryland State Police took over

Report Made By	Date	Approved By	Date
DFC STOTLER, R (S8497)	06/11/22	SGT SHANK, S (S6931)	06/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_10	06/11/2022 10:56	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC STOTLER, R (S8497)	
Subject of Investigation		
MURDER - FIRST DEGREE		

the scene, I then cleared and proceeded to the location where the actual active shooting incident initially occurred. Upon my arrival to that scene, I made contact with WCSO Sergeant Jones who advised that the scene was secure and multiple agencies were assisting in processing and conducting the investigation on the incident. After determining that no other units were needed, I then cleared the entire incident.

Case remains open during investigation by CID.

Report Made By	Date	Approved By	Date
DFC STOTLER, R (S8497)	06/11/22	SGT SHANK, S (S6931)	06/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number 2203581_14	Date of Report 06/11/2022 23:25	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By M/DEP SNODDERLY, K (S7729)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00



Location of Crime:

On 6/9/22 at approximately 14:57 hours, M/Dep Snodderly responded from the Sheriff's Office to M/Dep Snodderly was in the middle of training new-hire deputies at the time of the initial call, and responded to the scene in street clothes / tactical vest without a body worn camera.

M/Dep Snodderly arrived on scene at approximately 15:21 hours and made contact with Sgt. Kemmerer. Sgt. Kemmerer requested M/Dep Snodderly use his patrol vehicle to block off the North end of the crime scene. M/Dep Snodderly positioned his unmarked patrol vehicle in the driveway of and re-contacted Sgt. Kemmerer.

Sgt. Kemmerer requested M/Dep Snodderly evacuate the church located at the intersection of Bikle Road / RT64. M/Dep Snodderly responded to at the Smithsburg Valley Baptist Church at approximately 15:22 hours to make contact with the occupants inside. Contact was made with a Holly Lynn Frazer Frazer advised M/Dep Snodderly they run a daycare inside the church and had approximately 65 children inside. Additionally Frazer advised the building was on lock-down and all the children's parents were notified they would not be able to respond to the area to pick up their children at that time.

Frazer advised the children inside did not see or hear anything, nor had she or any of her staff. Frazer requested police check the building for intruders. M/Dep Snodderly requested two plain clothed MSP Troopers "dress down" and check the building as nonintrusively as possible. The Troopers checked the building and found no one inside

Report Made By 	Date 06/11/22	Approved By 	Date 06/12/22
M/DEP SNODDERLY, K (S7729)	06/11/22	LT HOLSINGER, J (S4560)	06/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_14	06/11/2022 23:25	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP SNODDERLY, K (S7729)	
Subject of Investigation		
MURDER - FIRST DEGREE		


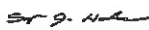
that should not be there.

It was then determined parents should respond to the area of RT64 and the church to pick up their children. M/Dep Snodderly, Sgt. Jones and M/Dep Palladino coordinated with Frazer and returned the majority of the children to the parents that were able to respond. Frazer advised there was a Pre-K graduation around 18:00 hours, and some children would be remaining on site until that event. The church evacuation was deemed complete at approximately 17:47 hours.

M/Dep Snodderly moved to the area of Bikle Road at the entrance to the church parking lot where he remained with Deputy J. McCoy. M/Dep Snodderly and Deputy J. McCoy remained in this approximate location throughout the duration of the incident, checking identification of other responding units while holding the south perimeter for the media presence.

M/Dep Snodderly was relieved of his post around 00:00 hours on 6/10/22 by M/Dep Litten, and went off duty at approximately 00:30 hours on 6/10/22.

All events occurred in Washington County Maryland.

Report Made By	Date	Approved By	Date
			
M/DEP SNODDERLY, K (S7729)	06/11/22	LT HOLSINGER, J (S4560)	06/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_15	06/12/2022 09:10	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP CERDA, G (S8003)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

On Thursday, June 9th, 2022 at approximately 1436 hours, Deputy Cerda of the Washington County Sheriff's Office was dispatched to _____ for a report of an active shooter incident. While enroute to the scene, the Washington County Emergency Communications Center advised that the suspect was no longer on scene and had left the scene in an _____. Deputy Cerda would be traveling North bound on Mapleville Road (route 66) and assisted the Maryland State Police, who had located the suspect vehicle.

When Deputy Cerda arrived on the scene, members of the Maryland State Police had the suspect, later identified as Joe Louis Esquivel _____ in custody. A _____ was lying on the ground next to the vehicle. The handgun was out of battery due to a weapon malfunction. Members of the Maryland State Police then began to provide life saving measures on Joe Esquivel. During this time, Deputy Cerda stood next to the weapon and made sure it was secured on the ground next to the vehicle.

Deputy Cerda assisted Deputy Weaver to use caution tape and close off of the crime scene. Deputy Cerda was released from the scene and would travel to _____ to assist other units on the scene. Deputy Cerda and Deputy Weaver would be directed to assist Deputy Everitts with the families of the victims of the incident. Deputy Cerda and Deputy Weaver traveled to _____

Deputy Cerda assisted Deputy Everitts until members of the Washington County Sheriff's Office Criminal Investigation Unit responded to make notifications of the life statuses of the victims.

Deputy Cerda and Deputy Weaver cleared from the Smithsburg Fire Station at _____

Report Made By	Date	Approved By	Date
M/DEP CERDA, G (S8003)	06/12/22	SGT SHANK, S (S6931)	06/12/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_15	06/12/2022 09:10	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP CERDA, G (S8003)	
Subject of Investigation		
MURDER - FIRST DEGREE		

and went to and
secured the perimeter of the crime scene until relieved.

Deputy Cerda requests this supplement be forward to the Washington County Sheriff's Office Criminal Investigation Unit.

Report Made By	Date	Approved By	Date
<i>[Signature]</i>		<i>[Signature]</i>	
M/DEP CERDA, G (S8003)	06/12/22	SGT SHANK, S (S6931)	06/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number 2203581_17	Date of Report 06/12/2022 17:37	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By LT PRICE, M (\$5211)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On June 9, 2022 Lt. Price was on his way to SRT training when he heard a call go out for an active shooter. Lt. Price was on Sharpsburg Pike, so he got onto 70 eastbound and got off onto Route 66 towards Smithsburg. Lt. Price heard that MSP possibly had the suspect vehicle stopped, but didn't hear where they had it stopped. As Lt. Price got close o the circle on Rt 66, he observed several vehicles stopped in the roadway and several tactical officers getting out of vehicles. Lt. Price stopped and ran up to where the vehicles were stopped and observed an had struck a . Lt. Price then observed a lying on the roadway suffering from what appeared to be gunshot wounds. The was handcuffed and there was a pistol lying on the road just outside the drivers door of the

Lt. Price then observed Kevin Lewis walking towards the scene. Lt. Price made contact with Kevin Lewis and advised him there was a who appeared to be shot lying by the . Lt. Price then observed Kevin Lewis and David Hays get medical equipment from their vehicle and begin to administer medical attention to the male. It should be noted that MSP had already begun administering medical attention to the

Lt. Price then responded to after it was determined that he wasn't needed at Rt 66 anymore.

Sometime after responding to , Lt. Price was asked to get a 4 element in the and follow Det. Stottlemeyer and Koontz to an address on in reference to someone possibly involved with the shooting suspect. Lt. Price, Ofc. Hook, Ofc. Fuqua and Dep. Schnurr then followed Det. Stottlemeyer to the address on We then returned to

Report Made By <i>Make R</i>	Date 06/12/22	Approved By <i>JSK</i>	Date 06/17/22
LT PRICE, M (\$5211)	06/12/22	LT FOOTEN, J (\$6317)	06/17/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_17	06/12/2022 17:37	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	LT PRICE, M (S5211)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Lt. Price stood by at

until about 2130 hrs.

Report Made By	Date	Approved By	Date
<i>Made R</i>		<i>[Signature]</i>	
LT PRICE, M (S5211)	06/12/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number 2203581_19	Date of Report 06/13/2022 07:37	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By DEP CARBAUGH, N (S10793)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9th, 2022 at approximately 1436 hours, I Deputy Carbaugh of the Washington County Sheriff's Office responded to for a report of an active shooter incident. While enroute to the scene, the Washington County Emergency Communications Center advised that the suspect was no longer on scene and had left the scene in an

I diverted from the above address and responded to Mapleville Road (route 66) and assisted the Maryland State Police, who had located the suspect vehicle. When I arrived on the scene, members of the Maryland State Police had the suspect, later identified as Joe Louis Esquivel in custody.

Medic #751 arrived on scene to transport Esquivel to Meritus Medical Center (MMC) located on I accompanied Esquivel being transported to MMC.


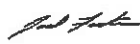
While in transit to MMC Esquivel made statements, "you need to raid my neighborhood there are unregistered firearms and suppressors". Esquivel continued to repeat this multiple times. Esquivel than stated, "i killed them, i found out they were pedophiles and they raped my sister. Esquivel was referring the last statement to the victims he shot.

Refer to body camera footage.

Upon arrival to MMC the suspect was transported to suspect until I was relieved.

I stood by with the

No further from this deputy.

Report Made By 	Date 06/13/22	Approved By 	Date 06/17/22
DEP CARBAUGH, N (S10793)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_19	06/13/2022 07:37	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DEP CARBAUGH, N (S10793)	
Subject of Investigation		
MURDER - FIRST DEGREE		

I requests this supplement be forward to the Washington County Sheriff's Office Criminal Investigation Unit.

Report Made By	Date	Approved By	Date
DEP CARBAUGH, N (S10793)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office

500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_20	06/13/2022 08:14	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT WARD, H (S7281)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Witnesses:

Role: (WI) Witness

Name: WEIMAN, JOHN JACOB III

Race/Sex: DOB:

Hair/Eyes: (/)

Address:

Role: (WI) Witness

Name: BURKE, RACHEL ADEL

Race/Sex:

Role: (WI) Witness

Name: ESQUIVEL, JOSE PEREZ JR

Race/Sex: (DOB:

Hair/Eyes: (/)

Address:

Role: (WI) Witness

Name: ESQUIVEL, ASHLEY RACHELL

Race/Sex:

Report Made By	Date	Approved By	Date
<i>[Signature]</i>		<i>[Signature]</i>	
SGT WARD, H (S7281)	06/13/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office

500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_20	06/13/2022 08:14	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT WARD, H (S7281)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Phone:

Action Taken:

On Thursday, June 9th, 2022, at approximately 2:36PM, D/Sgt. Ward heard the Emergency Communications Center dispatch a call for an Active Shooter at

D/Sgt. Ward started responding to the scene from the Sheriff's Office.

While en-route, D/Sgt. Ward heard dispatch advise the suspect in this incident was stopped in the area of Mapleville Road(Rt. 66) and Mt Aetna. D/Sgt. Ward also heard there were shots fired at this incident.

D/Sgt. Ward arrived on scene at Mapleville Road and Mt Aetna Road. D/Sgt. Ward observed a facing southbound wrecked into a Maryland State Police vehicle. D/Sgt. Ward observed multiple people around tending to a subject lying on the ground. The male was positively identified as Joe Louis Esquivel, through his West Virginia driver's license. Eventually, Esquivel was loaded into an ambulance and transported to Meritus Medical Center. Esquivel's home address listed on his West Virginia driver's license

At this time, D/Sgt. Ward had Deputy Weaver wrap the perimeter of the scene with caution tape. At approximately 3:17PM, D/Sgt. Ward started a crime scene log. D/Sgt. Ward maintained the log until 4:19PM, until this log was transferred to Trooper Socks of the Maryland State Police. D/Sgt. Ward photographed the log just before handing the forms over. The photograph of the crime scene log will accompany this supplement. D/Sgt. Ward received a telephone call from Deputy Carbaugh. Deputy Carbaugh advised D/Sgt. Ward that he received information from Esquivel regarding a friend of his wanting to do something similar to what he had done. Deputy Carbaugh provided the name John Weiman (No further information). D/Sgt. Ward then contacted Lt. Footen and advised him of the information just learned. Once the scene was turned over to MSP, D/Sgt. Ward responded to Meritus Medical Center (MMC) located at

While en-route to MMC, D/Sgt. Ward contacted Captain Hall with the Berkeley County Sheriff's Office in West Virginia. D/Sgt. Ward informed Captain Hall of the incident that occurred in Washington County, as well as the suspect (Esquivel) residing in West Virginia.

D/Sgt. Ward contacted D/Sgt. Weaver who was awaiting to speak with Esquivel. During the

Report Made By	Date	Approved By	Date
<i>H. Ward</i>		<i>T. Kerns</i>	
SGT WARD, H (S7281)	06/13/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office

500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_20	06/13/2022 08:14	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT WARD, H (S7281)	
Subject of Investigation		
MURDER - FIRST DEGREE		

investigation, the name John Weiman was brought to mention by Esquivel. D/Sgt. Ward and Detective Vogel with the Hagerstown City Police went outside of the Emergency Room and started to find out information on who this possible Weiman subject was. At approximately 5:10PM, D/Sgt. Ward received an e-mail from Emergency Communications Specialist, Caitlin Gaudin, who provided a MVA return of John Jacob Weiman III,

It should be noted that Weiman III resides on the same street as Esquivel.

At approximately 5:58PM, D/Sgt. Ward provided a MVA photograph of D/Sgt. Weaver to show Esquivel during the interview. D/Sgt. Weaver advised Esquivel could not see the photograph on the phone.

At approximately 6:30PM, D/Sgt. Ward contacted K. Clark, who was one of the forensic nurses assigned to this investigation. Clark provided D/Sgt. Ward the clothing of Brandon Michael and photographs that she had taken during her exam. Clark also provided D/Sgt. Ward with the chain of custody for the clothing, which will accompany this supplement. D/Sgt. Ward then cleared MMC and responded to patrol. D/Sgt. Ward placed the clothing of Brandon Michael into the Washington County Sheriff's Office property room.

D/Sgt. Ward then contacted Lt. Footen via telephone. It was determined that D/Sgt. Ward would respond to the Hagerstown Maryland State Police Barracks located at

Upon arrival, D/Sgt. Ward contacted Sergeant Martin with the Maryland State Police Homicide Unit. D/Sgt. Ward was advised that the search warrant was nearing completion for Esquivel's While awaiting for the search warrant, D/Sgt. Ward spoke with Lt. Footen via telephone. It was determined that D/Sgt. Ward would respond to Hedgesville West Virginia to be present while a search warrant was executed at Esquivel's residence.

D/Sgt. Ward responded to D/Sgt. Ward contacted members of the Berkeley County Sheriff's Office and members of the Eastern Regional Drug Task Force. Deputy Weidman of the Berkeley County Sheriff's Office is who composed search warrants for (John Weiman Residence) and (Joe Esquivel Residence).

While West Virginia authorities were executing the search warrants on the two residences, D/Sgt. Ward spoke with John Jacob Weiman 3rd,

Weiman advised that he did not know Esquivel or the family. Weiman confirmed that Esquivel drove a vehicle that was similar to a Weiman

Report Made By	Date	Approved By	Date
SGT WARD, H (S7281)	06/13/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_20	06/13/2022 08:14	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT WARD, H (S7281)	
Subject of Investigation		
MURDER - FIRST DEGREE		

stated that he did not associate with the Esquivel family. When asked who resided at the Esquivel residence, he stated that he was not certain. This evening, Weiman advised that Esquivel's mother, father, and some other boy were at the residence. Weiman was unable to provide any names of the subjects present at the Esquivel residence. Also present while speaking with Weiman was his ex-wife, Rachel Adel Burke,

D/Sgt. Ward asked Weiman if he ever sold any weapons to Esquivel. He replied "no".

At approximately 10:07PM, D/Sgt. Ward went over to the Esquivel residence. D/Sgt. Ward asked Esquivel's father, Jose "Joe" Perez Esquivel Jr,

if he would go to his patrol vehicle for an interview. Joe agreed to speak with D/Sgt. Ward. Joe agreed to have their conversation audio recorded. A copy of the recording will accompany this case file.

D/Sgt. Ward asked who all resides at this address. Joe advised that Esquivel resides at this address by himself. Joe advised he resides in Texas, and has been with his son for the last three weeks. Joe advised his son has been saying everyday that "people" were trying to kill him. Joe advised people at work have been giving him a hard time at work. When asked what about, Joe advised he was being picked on. Joe advised they were like "White Supremacist" or something like that and they wanted to kill him.

Joe advised that his son is a machinist but not sure exactly where he works. Joe advised that he has been employed for under a year. Joe advised his son left for work early this morning. When questioned about the time, he advised it was most likely before daylight. When asked what kind of schedule his son worked, he advised he believed it was like a eight to four thirty type of deal. Joe advised his son drove a D/Sgt. Ward asked Joe if his son owned any firearms. He said that he does, however was uncertain on the number of firearms he owned/possessed.

D/Sgt. Ward asked Joe when the last time he spoke with his son. He advised he spoke with him the previous evening. D/Sgt. Ward asked him what the conversation was about. Joe advised his son was telling him about "people" trying to kill him. D/Sgt. Ward asked if the people at work were trying to kill him, and he replied "no". He advised the people at work were giving him a hard time. Joe advised his son made mention of some "program" trying to kill him because he knew what they were. When asked what group, Joe made mention of some Nazi group. D/Sgt. Ward asked Joe if his son told him he was going to hurt the people at work, and he replied, "no". Joe said his son told him to pray for him. D/Sgt.

Report Made By	Date	Approved By	Date
<i>[Signature]</i>		<i>[Signature]</i>	
SGT WARD, H (S7281)	06/13/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_20	06/13/2022 08:14	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT WARD, H (S7281)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Ward asked Joe what he thought his son meant by that statement. Joe advised his son was scared to die and that he wanted to sell his house because of the people around the area.

Joe advised his son has resided in Hedgesville West Virginia for approximately three years. Joe made mention that one of his neighbors was the "main" guy. As Joe was elaborating, he advised his son passed by one time and the neighbor called him a "beaner". Joe advised that the neighbor's wife one day made the comment to his son "they haven't killed your bean ass yet". Joe advised this altercation occurred over a year ago. It was determined that Joe was referring to the neighbor "John Weiman". Joe advised Weiman and his son are not friends.

D/Sgt. Ward asked Joe to back up the conversation to when he was speaking to his son last night. Joe advised that his son mentioned that people at work were trying to kill him because he found out what they do. Esquivel told his father to pray for him because "they" were trying to kill him. D/Sgt. Ward asked Joe if his son was currently taking any medications, and he replied "no". Joe also stated that he has never been treated for any type of mental illness.

Joe advised that his son lived with him in Texas while attending machine shop school. Joe advised that his son moved back into the Hedgesville area when he bought his current residence. D/Sgt. Ward asked Joe where his son bought firearms. Joe advised he was not sure, but mentioned he may have ordered some of them. D/Sgt. Ward asked Joe if his son ever received any firearms from Weiman, and he replied "no".

D/Sgt. Ward asked Joe if he thought that his son believed someone was out to kill him. Joe said that a "Nazi program" was out to get him. Joe did not identify any individual who his son may be referring to. D/Sgt. Ward asked Joe what his son thought about Law Enforcement and if he respected them. Joe advised his son did respect law enforcement and at one time thought about becoming an officer. Joe advised his son would never shoot at the police.

D/Sgt. Ward asked Joe about the device his son wore around his neck. Joe explained that he wore that so "people" would not do anything to him. He said he wore that o "they" would not kill him. D/Sgt. Ward asked Joe how that box would prevent him from being killed. Joe said he was not sure.

Joe said he last spoke with his son the previous evening around 10:30PM. D/Sgt. Ward confirmed that Esquivel told his father to pray for him. D/Sgt. Ward asked if Joe

Report Made By	Date	Approved By	Date
<i>[Signature]</i>		<i>[Signature]</i>	
SGT WARD, H (S7281)	06/13/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office
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Complaint Number	Date of Report	Initial/Supplement
2203581_20	06/13/2022 08:14	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT WARD, H (S7281)	
Subject of Investigation		
MURDER - FIRST DEGREE		

questioned that statement. Joe said that his son said "they gonna kill me". D/Sgt. Ward asked Joe why his son went to work today if he felt threatened. Joe advised his son was making this statement at least once a week since he has been staying with him. D/Sgt. Ward asked Joe if he told his son to not go to work if he felt this way. Joe advised that he asked his son to go to Texas with him to forget about all of this.

D/Sgt. Ward asked Joe if he has ever purchased any firearms for his son. Joe replied "yea, a couple". D/Sgt. Ward asked Joe what kind of guns he has purchased for his son. Joe advised he likes to buy guns, but stated he bought a along with several others. D/Sgt. Ward asked Joe if he has ever purchased a for his son. Joe replied "oh yea, I think so". Joe confirmed that his son does not have a brother.

D/Sgt. Ward asked Joe if he had any questions for him. Joe stated that an older guy "there" was giving his son a hard time. Once the interview was concluded, D/Sgt. Ward walked Joe back down to the residence.

At approximately 11:01PM, D/Sgt. Ward spoke with Ashley Rachell Esquivel, Ashley identified as the of Jose Esquivel. Ashley identified the residence on as the residence of Ashley advised she had been staying with him and her since June 7th, 2022 (her birthday). Ashley advised she last saw her on the previous evening at approximately 10:00PM. According to Ashley, does not like law enforcement nor is he "big" on government orders. Ashley also advised that felt unsafe in town and that the neighbor, John Weiman, used racial slurs towards Ashley did not provide any other information regarding the incident that occurred earlier in the day.

It should be noted that the Berkeley County Sheriff's Office removed 63 items from Jose Esquivel's residence. One of the items removed from the residence is described PS-90 Fully Automatic Rifle. Berkeley County Sheriff's Office also removed 21 items from the residence of John Wieman. A copy of the search warrants and property receipts will accompany this supplement.

This case is to remain assigned to the Criminal Investigations Unit for further dispositions.

Report Made By	Date	Approved By	Date
<i>H. Ward</i>		<i>T. Kerns</i>	
SGT WARD, H (S7281)	06/13/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_22	06/13/2022 09:50	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC KOONTZ, A (S9119)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9, 2022 at approximately 1436 hours Detective Andrew Koontz and Detective Sergeant Bryan Glines were informed that there were numerous casualties at

As

Detective Glines and Detective Koontz were enroute to the scene they were informed that the suspect was operating a westbound on Jefferson Boulevard.

Detectives were then informed that Maryland State Police Troopers were with the suspect vehicle at the traffic circle at Mapleville Road and Mount Aetna Road. Detectives then began to head towards that location and information was limited. Upon arrival Detective Koontz could observe numerous police vehicles and a large with
There was a in the truck that appeared shaken and indicated that she was a witness. Detective Koontz walked over to the truck and the female identified as Ashley Nichole Palmer,

Ashley said that she was driving in her vehicle and there was an in front of her truck. When traveling in the area of the traffic circle she witnessed a Police cruiser travel past her vehicle with lights and sirens and drive in front of the orange vehicle causing it to stop. Ashley said that she witnessed police get out of the cruiser and then she heard an exchange of gunfire. Ashley said that she witnessed the driver of the vehicle put his hands out the driver's side window of the vehicle. Ashley said that she believed

Report Made By	Date	Approved By	Date
	06/13/22		06/30/22
DFC KOONTZ, A (S9119)	06/13/22	LT FOOTEN, J (S6317)	06/30/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_22	06/13/2022 09:50	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC KOONTZ, A (S9119)	
Subject of Investigation		
MURDER - FIRST DEGREE		

there might have been more shots fired. Ashley said that an unmarked police truck then pulled up behind the _____ and blocked her vision. Ashley said she saw a Trooper that she believed suffered a gunshot wound and officers began caring for him. Ashley did not witness anything further but was instructed to stay on scene to speak with Maryland State Police Detectives.

Detectives were informed that this scene was being handled by Maryland State Police and then Detectives Koontz and Glines immediately responded to the address on _____ Whenever Detectives arrived, they entered the crime scene and Detective Koontz was directed to a witness of the shooting who would be identified as Manuel E. Mendez

Detective Koontz asked Mendez if he could record the conversation and he agreed. Mendez said that he was getting ready to leave work for the day and was talking to a female in the office. Mendez said that he heard gunshots or loud banging coming somewhere in the building. Mendez said that he opened a door and observed a co-worker he knows as "Joe" actively shooting at people in the place of business. Mendez said that he observed Joe holding a handgun and then he immediately began running out of the building.

Mendez said that he ran out of the building with other employees into a field in the direction of _____. Another employee he knows as "Brandon" suffered a gunshot wound _____ and Mendez took off his belt and began using it as a tourniquet. Mendez said that he witnessed "Joe" leave the business in the _____ he knows is "Joe's". Manuel witnessed "Joe" turn left onto Jefferson Boulevard out of his view.

Detective Koontz talked about Joe's employment with the business and he said that Joe was a machinist with _____ and other than just being relatively a quiet person he didn't really know much about Joe. Mendez said that on this date in question Joe was working and there were no real issues at work. Mendez did say that Joe messed up something on a part that he was making and Joe came to Mendez about it. Mendez said that it was really no big deal and no one confronted him about it or got into an argument about it. Mendez said that at approximately 10 minutes later is when Joe started shooting. Mendez

Report Made By	Date	Approved By	Date
DFC KOONTZ, A (S9119)	06/13/22	LT FOOTEN, J (S6317)	06/30/22



Washington County Sheriff's Office
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Complaint Number 2203581_22	Date of Report 06/13/2022 09:50	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By DFC KOONTZ, A (S9119)	
Subject of Investigation MURDER - FIRST DEGREE		

was later transported to the Smithsburg Police Department.

During the initial portion of the investigation Detectives were attempting to confirm the suspect's identity as either "Joe" or "Jose" Esquivel. Detectives were provided driver's license information from a dispatcher that located a male identified as Jose Alfredo Esquivel in the Motor Vehicle Administration system. There was an address of that was associated with this Jose Esquivel. In an effort to investigative every lead Detectives Koontz and Detective Clayton Stottlemeyer responded to that location. Once at that location Detectives confirmed that this was the building that houses "Rocky's bad guys Pizzeria". Detectives were given verbal permission to search the upstairs apartments by the owner of Rocky's Pizza and Detectives quickly learned that this address was not involved. Once back at the scene on it was relayed to Detective Koontz that the suspect in custody was positively identified as Joe Louis Esquivel

Detective Koontz remained on the scene at until it was determined that he and Detective Stottlemeyer would be conducting the death notifications to the Frey, Wallace and Minnick families. Detectives Koontz and Stottlemeyer then responded to the Trinity Lutheran Church located at Detectives were accompanied by members of the Federal Bureau of Investigation Victim Specialists led by Elizabeth Appleton. Detectives first met with members of Joshua Wallace's family and conducted the death notification. It was learned that Joshua's Mother, Tammi Roberts was on vacation in West Virginia and she was not present. Roberts was notified by a member of Joshua's Girlfriend's family. After making notification to this family Detectives were informed that a representative from reached out to Mark Frey's family and notified his wife (Angela Frey) of Mark's passing away. This was directly against what the company was directed to do when communicating with members of the Washington County Sheriff's Office. As a result of this inappropriate phone call from Frey's family did not wish to speak with Police. Detective Stottlemeyer spoke with Minnick's family and notified them of Charles' death. After conducting death notifications, Detective Koontz and Stottlemeyer returned to the scene until it was determined that they would respond to the Sheriff's Office to place items into evidence. Those items are listed

Report Made By 	Date 06/13/22	Approved By 	Date 06/30/22
DFC KOONTZ, A (S9119)	06/13/22	LT FOOTEN, J (S6317)	06/30/22



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Complaint Number	Date of Report	Initial/Supplement
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Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC KOONTZ, A (S9119)	
Subject of Investigation		
MURDER - FIRST DEGREE		

below;

belonging to Tom Oneil

belonging to Dawn Green



removed from Brandon Michael

removed from Brandon Michael

Brandon Michael's

CS_11 Cellphone recovered from scene at 2331 hours by WMRCL

CS_15 Cellphone recovered from scene at 2331 hours by WMRCL

Report Made By	Date	Approved By	Date
			
DFC KOONTZ, A (S9119)	06/13/22	LT FOOTEN, J (S6317)	06/30/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_22	06/13/2022 09:50	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC KOONTZ, A (S9119)	
Subject of Investigation		
MURDER - FIRST DEGREE		

*CS_16 cellphone recovered from scene at 2331 hours by WMRL

CS_17 Cellphone recovered from scene at 2331 hours by WMRL

On Friday June 10th, 2022 Detective Koontz would release the items denoted with an asterisk to their owners. Item CS-16 was identified as belonging to a surviving victim Brandon Michael and released to him at Meritus Medical Center. Detective Koontz's responsibility for the rest of Friday, June 10th 2022 was contacting the victim families in person and by phone to inform them of the next steps in this process. Detective Koontz also assisted in making sure that the victim/witness coordinator was provided with contact information for the families so that she could remain in contact with them moving forward.

On Thursday, June 23rd, 2022 Detective Koontz responded to the Hagerstown Police Department and was provided evidence that was described as personal belongings from Mark Frey, Joshua Wallace, and Charles Minnick. Detective Koontz responded back to the Sheriff's Office where he made the items presentable for the families and began scheduling times for the pick up of these items. On June 23rd, 2022 at approximately 1508 hours Detective Koontz met with Joshua Wallace's mother, Tammi Roberts at the Sheriff's Office. Roberts signed the property form and was provided Joshua's personal property.

On Friday, June 24th, 2022 at approximately 0918 hours Detective Koontz met with Charles Minnick's wife, Lisa Minnick at the Sheriff's Office. Lisa signed the property form and was provided with Charles' property. On that same date at approximately 1036 hours Detective Koontz met with Mark Frey's wife, Angela Frey also at the Sheriff's Office. Angela signed the property form and was provided with Mark's belongings.

There are no further details at this time.

Report Made By	Date	Approved By	Date
DFC KOONTZ, A (S9119)	06/13/22	LT FOOTEN, J (S6317)	06/30/22



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Complaint Number 2203581_23	Date of Report 06/13/2022 10:31	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By DFC SWOPE, C (S6972)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

List of Exhibits:

Class: (E) Evidence Type: ()

Description:

Copy of employee rooster for Columbia Machine.

Quantity: Value:

Serial No: Make/Brand:

Model:

NCIC No:

Class: (E) Evidence Type: ()

Description:

Copies of 911 calls for

Quantity: Value:

Serial No: Make/Brand:

Model:

NCIC No:

Class: (E) Evidence Type: ()

Description:

by Lloyd Martz.

Quantity: Value:

Serial No: Make/Brand:

Model:

NCIC No:

Witnesses:

Role: (WI) Witness

Report Made By <i>C Swope</i>	Date 06/13/22	Approved By <i>LT Footen</i>	Date 06/17/22
DFC SWOPE, C (S6972)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_23	06/13/2022 10:31	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC SWOPE, C (S6972)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Name: MARTZ, LLOYD DANIEL

Race/Sex:

Role: (WI) Witness

Name: GREENE, DAWN MARIE

Action Taken:

On Thursday, June 9th, 2022, at approximately 2:36 P.M., Washington County Emergency Communications Center advised there was an active shooter at

Several minutes later, Detective Casey Swope arrived on scene and met with Captain Mark Knight on the northside of the building. Captain Knight advised there were at least two (2) deceased located inside of the building. Captain Knight further advised the building had not been cleared of any other potential suspects.

Deputies entered the building by an open garage door on the northwest side of the building. There were several vehicles parked closest to this garage entrance. After deputies secured the building, Detective Swope located two (2) deceased lying outside of what appeared to be a break room near an opened garage door on the southside of the building. Detective Swope also observed numerous spent casings on the ground around the deceased bodies. At this point, Detective Swope was unaware of another deceased body inside of the break room.

Detective Swope then located a witness who was working across the street at Mace Auto Body. The witness identified himself as Lloyd Daniel Martz, a having a

Report Made By	Date	Approved By	Date
<i>C. Swope</i>		<i>LT Footen</i>	
DFC SWOPE, C (S6972)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



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Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC SWOPE, C (S6972)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Lloyd stated he heard what he thought was an "air nailer" going off multiple times. Lloyd explained he looked across the street and observed running from the building trying to hide in the field. Lloyd stated he then saw a "fly" down the business lane towards Bikle Road. Lloyd stated he ran across the street to the men located in the field and helped rendered aid.

At approximately 3:15 P.M, Detective Swope spoke to Dawn Marie Greene,

Dawn stated she is the office manager for

Dawn explained she was sitting in her office talking to employee "Mannie" who was later identified as Manuel E Mendez.

Dawn explained she heard a loud bang that went off approximately six (6) to seven (7) times. Dawn stated the General Manager Tom, who was later identified as Tom Andrew Neil, came over to her location and asked, "what was that?"

Dawn stated while she was calling 911, she saw Brandon, who was later identified as Brandon Chase Michael, running outside of her window. Dawn then observed "Joe's" car leave the business traveling towards Bikle Road. Dawn identified "Joe" as Joe Esquivel. Dawn stated "Joe" parked his car beside the white Ford pick-up truck to the northside of the building.

Detective Swope asked Dawn if there have been any issues with "Joe" or any other workers. Dawn stated she did not know of any issues. Dawn explained "Joe" had started coming into work late, but this week had been fine, and he was on time. Dawn stated she believes that "Joe" lives in West Virginia and she didn't know much about him or any family.

On Thursday, June 9th, 2022 at approximately 5:30 P.M., Detective Swope received an email from Washington County Division of Emergency Services Quality Assurance and Training Coordinator, Shelby Hall. The email contained the 911 calls for this investigation. Detective Swope later made copies of the 911 calls and included with this supplemental report.

On Thursday, June 9th, 2022 at approximately 5:45 P.M., Detective Swope spoke to Rick Goode via telephone. Detective Swope ask Rick if he could provide a list of employees with their emergency contacts. Detective Swope further advised Rick

Report Made By	Date	Approved By	Date
<i>C Swope</i>		<i>R Footen</i>	
DFC SWOPE, C (S6972)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_23	06/13/2022 10:31	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	DFC SWOPE, C (S6972)	
Subject of Investigation		
MURDER - FIRST DEGREE		

to not contact any of the family members until detectives with the Washington County Sheriff's Office could notify them.

On Thursday, June 9th, 2022 at approximately 6:14 P.M., Detective Swope received an email from Karla Brand. The email contained an attached list of current employees at the Detective Swope included the employee list with this supplemental report.

On Thursday, June 9th, 2022 at approximately 8:00 P.M., Detective Swope was present inside of the business while members of the Western Maryland Regional Crime Laboratory and FBI Forensics Team began processing the scene.

On Thursday, June 9th, 2022 at approximately 9:28 P.M., Detective Swope contacted Washington County Emergency Communications Center and requested the medical examiner respond. Detective Swope was advised medical examiner, Brad Dyer would be responding to the scene.

On Thursday, June 9th, 2022 at approximately 10:52 P.M., Heartfelt Livery Service responded to transport the three (3) deceased bodies to the Maryland Medical Examiner's Office in Baltimore, Maryland.

On Thursday, June 9th, 2022 at approximately 1:00 A.M., Detectives secured the exterior doors to Columbia Machine, Inc and Detective Swope's involvement at the scene was complete.

Report Made By	Date	Approved By	Date
<i>C Swope</i>		<i>J Footen</i>	
DFC SWOPE, C (S6972)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number 2203581_24	Date of Report 06/13/2022 12:17	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT KEMMERER, P (S6482)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:


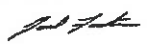
Action Taken:

On 6/9/22, at approximately 1436 hrs., I was on-duty at the Washington County Police Academy located at 18350 Public Safety Place in Hagerstown. I heard an emergency tone over the WCSO radio Ch01 and heard ECC dispatch an Active Shooter incident in the area of Bikle Road. I immediately started toward

While en route to I heard a transmission from a Smithsburg Police Officer, Officer J. Moralas #0017, that he was out with a victim in a field next to and that the shooting had taken place at is located at I also heard him state that the suspect had fled in a with passenger side damage and headed left on Smithsburg Pike (Rt 64).

I arrived on scene at approximately 1508 hrs. (according to CAD). Upon arrival, I observed several survivors standing outside the front of the building, inside the interior fence, with Captain M. Knight #3875 and DFC J. Montenegro #9679. I observed a seated along Bikle Road. I later verified that he was a witness that had helped the injured survivor that was in the field. There were several EMS vehicles and personnel in the driveway and in the area of a field to the north of the building. I recognized this field (and later verified) as the field that Officer Moralas had found the first victim. Officer Moralas was not on scene, and according to his radio transmission, he was with the victim en route to the hospital.

I was given a wallet from the witness (and EMS) that was sitting on Bikle Road at the field next to building. I was told that it belonged to the victim that was shot. This was the victim that Officer Moralas had first contacted that had been in the field. As this was early in the incident, I put the wallet in my front left pocket.

Report Made By 	Date 06/13/22	Approved By 	Date 06/17/22
SGT KEMMERER, P (S6482)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_24	06/13/2022 12:17	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT KEMMERER, P (S6482)	
Subject of Investigation		
MURDER - FIRST DEGREE		

When time later allowed, I gave the wallet to Detective B. Glines #6516. I never opened or looked in the wallet.

I observed that the building is a large industrial-type building. The building is contained within a secure fence. The front gate to the building was unlocked and open. A driveway enters from Bikle Road, through the gate and surrounds the building, outside the security fence. The front of the building has an entrance that appeared like other commercial-type visitor and employee entrances. The south side of the building had two large rollup doors that were open. Typical items were on the side rear of the building such as industrial equipment, wooden skids, LP gas tank, etc. There are private residences to the North and East of Smithsburg Valley Baptist Church is located south of between the shooting and Rt. 64. Mace Auto Body Shop is across Bikle Road from the shooting scene.

Upon my arrival, I recognized Captain Knight to be the Incident Commander and I took on the duties of the Tactical Commander of the Bikle Road scene. The Tactical Commander manages resources and ensures crucial tasks are being achieved.

Among other tasks, I managed or ensured that the following was completed:

Coordinated all activities with Incident Command.



Coordinated all criminal investigative matters with Lt. Footen #6317 and his CIU team of investigators and forensic team.

Ensured that the building had been cleared of threats and that all injured individuals had received medical attention.

Set up an external perimeter using crime scene/police tape and police to ensure the integrity and safety of the scene. DFC. S. Buskirk #5773 was placed in charge of the outer perimeter.

Have a deputy check with each adjacent resident to ensure no one was injured and to see if they had seen or heard anything or had video of the incident.

Assigned DFC G. Lam #9066 to provide security at the entrance to the crime scene and maintain a Crime Scene Log. Deputy Lam was later relieved by DFC Fazenbaker #8084. The

Report Made By	Date	Approved By	Date
			
SGT KEMMERER, P (S6482)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number 2203581_24	Date of Report 06/13/2022 12:17	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT KEMMERER, P (S6482)	
Subject of Investigation MURDER - FIRST DEGREE		

inner perimeter was the physical barrier of a security fence that surrounded the building with the only entrance at a gate at the front of the building. They also managed the field where the first victim was found.


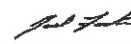
Assigned MD K. Snodderly #7729, Sgt. B. Jones #6298 and others to secure and manage the safe evacuation of the Smithsburg Valley Baptist Church.

Assigned MD C. Everitts #7175 to the Victim Family Unification location. The Smithsburg Fire Department building was chosen for that purpose.

The PIO and press area was set up at the Lions Club Park located on the south side of Rt. 64 on Bikle Road. All press and related individuals were sent to that location, and I coordinated all public information matters through Sgt. C. Hose #6871, WCSO PIO.

I never entered the actual I never interviewed any witnesses, victims, or suspects. I never took any photographs or viewed any video (with the exception of news media and social media).

I was relieved of my duties by Captain M. Knight at approximately 2330 on the same date (6/9/22).

Report Made By 	Date 06/13/22	Approved By 	Date 06/17/22
SGT KEMMERER, P (S6482)	06/13/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number 2203581_25	Date of Report 06/13/2022 14:31	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By M/DEP ANGELINI, M (S8112)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9th, 2022 at approximately 1436 hours, Deputy Angelini of the Washington County Sheriff's Office was dispatched to for a report of an active shooter incident. While en route to the scene, the Washington County Emergency Communications Center advised that the suspect was no longer on scene and had left the scene in an Deputy Angelini would be traveling North bound on Mapleville Road (route 66) and assisted the Maryland State Police, who had located the suspect in the

When Deputy Angelini arrived on the scene, members of the Maryland State Police had the suspect, later identified as Joe Louis Esquivel at gun point in the front driver seat of an

Deputy Angelini held Joe Esquivel at gun point until he was extracted from the vehicle by the Maryland State Police. Joe Esquivel had two gunshot wounds that Deputy Angelini was able to observe. was lying on the ground next to the driver door of the The handgun was out of battery due to a weapon malfunction.

Members of the Maryland State Police then began to provide life saving measures on Joe Esquivel. During this time, Deputy Angelini would hear Joe Esquivel saying the following in an excited utterance: "just finish me off" and "put a bullet in me" "just kill me", "pretend I'm reaching for your weapon and finish me off". At one point, Joes Esquivel stated "I'm going to tell you everything". Joe Esquivel would respond to a question asking how old he was with "23 just put me down, stop trying to save me and just kill me", "kill me kill me please. Don't worry about saving me and just kill me", "I'll tell you everything". Joes Esquivel also stated "promise you'll kill me if I tell you everything." and "you gotta tell the FBI what's gonna happen".

Report Made By <i>M/Dep Angelini</i>	Date 06/13/22	Approved By <i>Sgt Shank</i>	Date 06/15/22
M/DEP ANGELINI, M (S8112)	06/13/22	SGT SHANK, S (S6931)	06/15/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_25	06/13/2022 14:31	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP ANGELINI, M (S8112)	
Subject of Investigation		
MURDER - FIRST DEGREE		

A member of the Maryland State Police requested Deputy Angelini to obtain a large evidence bag to place Esquivel's clothing in. Deputy Angelini obtained a large paper evidence bag from the rear of his patrol car and upon returning place Esquivel's clothing in the evidence bag as Maryland State Police removed the clothing. Deputy Angelini left the bag of clothing with Maryland State Police.

Sgt. Ward was on scene and requested Deputy Angelini to follow the ambulance to Meritus Medical Center, which would be transporting Esquivel. Deputy Carbaugh road in the ambulance with Esquivel and Deputy Angelini followed in his patrol car.

Upon arrival at Meritus Medical Center, EMS brought Esquivel into the hospital where hospital staff began attending to Esquivel. Deputy Carbaugh and Angelini remained posted at the doorway to the room in which Esquivel was being treated until released by Sgt Weaver.

Report Made By	Date	Approved By	Date
<i>M/Dep</i>		<i>Shank</i>	
M/DEP ANGELINI, M (S8112)	06/13/22	SGT SHANK, S (S6931)	06/15/22



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500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number 2203581_26	Date of Report 06/13/2022 10:59	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT WEAVER, C (S4481)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, June 9, 2022 at approximately 2:45PM I was notified by Sgt. Brian Glines of an active shooter at a business in located on He advised the suspected shooter had fled the scene in a vehicle and a description of the suspect and the vehicle he was driving had been broadcast to responding agencies. Sgt. Glines advised he and Det. Andrew Koontz were going to the scene.

I left the department to respond to the scene. As I was driving to the scene, I was scanning dispatch and heard them advise a victim of the shooting was being transported to Meritus Medical Center. I was still traveling through town and was close to Meritus and I immediately went to Meritus to attempt to talk to the victim. I advised Sgt. Glines I was going to Meritus and would update him if I was able to contact the victim.

I arrived at Meritus Medical Center at approximately 3:00PM and learned the victim of the shooting was in a trauma room. I went to the trauma rooms and located the victim. I looked in the room and saw a being treated by a medical team. I spoke with Smithsburg Police Officer Jerry Morales who was also present in the room where the victim was being treated. Officer Morales stated he had responded to the scene and located this victim outside the business laying in a field. He stated the victim was identified as Brandon Michael and he was an employee at the business. He advised Brandon told him another employee he identified as "Joe" shot him inside the business. Ofc. Morales stated Brandon told him and several other employees were in the break room when Joe came in the room and started shooting. Brandon told Ofc. Morales he was able to flee the break room after being shot and made it outside.

I then relayed this information to Sgt. Glines and Det. Koontz. Due to Brandon being medically treated and I was unable to speak directly with him at this point so I left

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Meritus and went to the scene on

I arrived at the scene I learned the suspect was located driving his vehicle and was stopped by the Maryland State Police. The suspect got in a shoot out with MSP and a Trooper was shot and the suspect was also shot by police. I learned the suspect was taken to Meritus for medical treatment. I then left the crime scene and went back to Meritus to attempt to interview the suspect.

I arrived back at Meritus and learned the suspect was in a trauma room being attended to by a medical team so I wasn't able to speak with him. I did speak with Dep. Noland Carbaugh who was in the hospital and rode in the ambulance with the suspect. He advised the suspect was talking on the way into the hospital in the ambulance. Dep. Carbaugh advised he captured the conversation on his body camera.

While I was waiting to see if I would be able to speak with the suspect, I went to check on Brandon Michael (the shooting victim). I saw he was sitting up and alert. I asked his nurse if I could speak with him and she said at his discretion I could.

I then entered Mr. Michaels room and identified myself. I asked him if he would speak with me and he said he would. I asked him to tell me what happened.

He stated he was at work at _____ and took his break at approximately 2:30PM. He said him and several other employees always take their break at 2:30 and they went to the break room. He stated he was sitting in the break room at a table looking at his phone and he heard 4 "fast" shots. He stated he looked up and saw Joe holding a gun and shooting at them.

I asked him who Joe was. Brandon stated Joe was also an employee at the business. I asked him how long he had known Joe. Brandon stated Joe has worked there for about 6 months. I asked Brandon if he was familiar with Joe from working there and if he would see him daily while he worked and he said yes. I asked Brandon again if Joe was he person he saw shooting inside the break room and he said yes.

(Joe was later identified as the suspect of the shooting; Joe Louis Esquivel a _____ and an employee of _____
However at this time, there was confusion among the police on his address, exact name and date of birth.

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I asked Brandon what happened next. He stated he felt himself get shot and ran out of the break room. He stated he ran outside and knowing the business was fenced in with only one way in and out, he said he ran through the gate so he wouldn't be trapped inside. He said he was and ran until he leg gave out and fell in the field.

He said when he fell in the field he looked back at the business and saw Joe run out of the building and get in his car and drive through the gate and away from the plant. I asked him if he knew what kind of car Joe drove. Mr. Michael said it was a

I asked him if he knew where Joe lived and he stated West Virginia but didn't know exactly where he lived.

I asked him who was in the break room when Joe came in and started shooting. Brandon said he was with Josh, CJ, Mark, and Hunter (no further details provided on these persons by Brandon). He then said he wasn't positive if Hunter was in the break room but said it was all of their break time and he is usually in there but couldn't say for sure if he was. (I was later determined Hunter was inside the break room but ran outside before getting shot and was able to call 911)

I asked him what type of gun he saw Joe shooting. He stated it was a semi-automatic handgun but didn't know the make. I asked him Joe said anything while he was shooting and he said he didn't hear him saying anything "he was just shooting.

I asked Brandon if he interacted a lot with Joe in the six months he had worked there. He stated Joe was very quiet and kept to himself. Brandon stated he and his co-workers tried to interact with him but he didn't speak much. Brandon stated earlier in the day he tried to talk to Joe and asked him how he was doing. He said Joe just mumbled something he couldn't understand. I finished talking to Brandon and left his room.

I was approached by DFC Angelini who advised dispatch had sent him a photograph and an MVA browse of the possible suspect. The name of the suspect he advised dispatch provided was Jose Alfredo Esquivel with a and had an address in which is in close proximity of Dep. Angelini had a MVA photograph of Jose Esquivel along with his information.

I then spoke with Major Pete Lazich who was at the scene of the shooting. I relayed the information Dep. Angelini had provided on Jose Esquivel. Major Lazich advised the last

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name was the same as provided by of the suspect; however they had the name as Joe, not Jose, with a different date of birth.

I then spoke with States Attorney Gina Cirnicione who was also at Meritus. I told her Joe and Jose are very similar in name, and the possibility existed a person could use the name "Joe" in place of Jose. I advised her we had a MVA photograph of a Jose Esquivel who had the same last name, but the date of birth was different than what had on the suspect. I asked her if we could show Brandon the photograph of Jose Esquivel to possibly obtain a positive identification of a suspect and see if Joe and Jose were the same person.

Ms. Cirnicione agreed to show him the photograph to see if the person in the MVA photograph was who shot him. I then went back into Brandon's room and asked him if he would look at a photograph and see if he recognized the person. He agreed to look at the photograph. I then showed him Jose Esquivel's MVA photograph that was provided to DFC Angelini. Mr. Michael stated the person resembled Joe but he said the person in the picture wasn't him.

I relayed this information back to Major Lazich. He advised a drivers license for Joe Esquivel was recovered by MSP at the scene of the shooting and they were then able to verify Joe Esquivel's identity and information through and his drivers license. At this point there was no evidence to link Jose Esquivel, whom we had the MVA photograph of, to the incident.

I then spoke with Maryland State Police Master Trooper Eric Schramm who was at Meritus. Tpr Schramm is assigned to the MSP Homicide unit and was present to investigate the police involved shooting between MSP and the suspect. The suspect, Joe Esquivel, was being treated in the trauma areas close to Brandon Michael. M/Tpr Schramm said Joe Esquivel was currently sedated but his treating doctor said he could bring him out of sedation so we could speak with him if we wished. The Washington County States Attorney, Gina Cirincione was also present at Meritus and I spoke with her about this being a possibility for us to speak with him. She gave the approval to speak with him on the condition we read him his Miranda rights.

It should be noted, during the ambulance ride Joe Esquivel was talking to Dep. Carbaugh and talked about about another person he knew possibly planning to also do a mass shooting. Joe Esquivel did not say where or when this other mass shooting was to take

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place. Joe told Dep. Carbuagh his neighbor was planning an attack and he needed to be stopped. The main purpose of speaking with Esquivel at this point was to obtain information regarding a possible second mass shooting being planned and attempt to prevent it.

Tpr. Schramm and I entered the trauma room where Joe Esquivel was being treated at approximately 5:45PM. I asked Sgt. Brian Teets to accompany us inside the room for the interview so it could be recorded on his body camera.

I identified myself to Joe and asked him what his name was. He initially had difficulty speaking but he told me his name was Joe. I asked him if he knew what day it was and he stated Thursday.

Joe continued to attempt to talk to us but I stopped him and read him his Miranda rights. As I read Joe each of his rights I asked him if he understood them and he responded by saying "yes." I asked him if he wanted to speak with us and he stated "yes."

During the Miranda rights Joe asked if the FBI and ATF were with me. He stated "something bad is going to happen."

When I finished his Miranda rights I asked him what was going to happen. He stated people invaded the capital and installed "2K" listening devices. He stated they were trying to overthrow the government and they needed to be stopped. TPR Schramm asked where we could find them to stop them and he stated they worked at APX enclosures. (APX enclosures is a manufacturing plant located in Greencastle Pennsylvania) He stated we needed to raid their houses.

I asked Joe where they live and he said he didn't know. I then asked him how he was contacting them. He didn't answer the question and just stated these people are trying to overthrow the government and we need to stop them, there bad people.

I then asked him again how he talks to them. He stated he came across them, I worked there. He stated he worked at APX Enclosures with them.

TPR Schramm asked him what their names were and he said Ricky Mussleman (exact spelling unknown). Joe stated he worked with Ricky at APX enclosures but said he did not know where he lived.

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TPR Schramm asked Joe what type of threat Ricky was and Joe stated "they installed 2K devices inside the capital." TPR Schramm asked Joe what kind of device that was and he stated it was a voice to skull device. He then asked us if we had a cell phone?

TPR Schramm asked Joe if he had a cell phone and he stated he did in his car. TPR Schramm asked for the pass code and Joe said 1098-10 but then said you need to stop these people there pedophiles. He kept saying we need to investigate these people, there going to overthrow the government. TPR asked what they were going to do. Joe stated he didn't know but they made it inside the capitol and there planning an attack.

TPR Schramm asked him if they were part of a group. Joe stated he believed so but didn't know the name of a group.

TPR Schramm asked if he knew anybody else besides Ricky Mussleman. Joe gave the name of John Jacob Wineman and John Breechbill (exact spelling unknown at this time). Joe then stated your going to have to put me in protective custody because there going to try to kill me.

I then asked Joe how old the guys he named were. He stated there "40-50" year old white guys. He said they want to overthrow the government.

I asked Joe if he still works there and he stated No. He said we need to stop them they've been raping people and using mind control, they're pedophiles. TPR Schramm asked Joe if the three persons he just named were pedophiles and he stated Yes.

Sgt. Howard Ward was attempting to locate the persons he named through data bases he had access to. He located a photograph of a John Winemann with a address. I attempted to show Joe the photograph to verify if he was the same person but Joe could not identify him, stating his vision was blurry.

He then stated, You need to stop these people, they have unregistered machine guns, suppressors, there into human trafficking and they raped my sister.

I asked Joe what his
and he stated 21.

Ashley. I asked him how old she was

He then stated we needed to investigate these people; Ricky Mussleman he was was forcing

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me into a right wing extremist group and I don't want to be a part of it. He stated they are bad people, they rape and mind control people. TPR Schramm again asked him what group they were trying to get him to join. Joe stated it was a group "in the area" of the Free Masons. He then said again they broke into the capitol and installed listening devices.

He then stated again, TPR Schramm asked if she reported it to the police. Joe stated she tried but did not finish the sentence.

I asked Joe what police department she talked to and he stated, I don't know it was in Texas.

I then asked Joe where he worked. He stated he worked at He then stated, "they said they were going to kill my mom and dad." I asked him if the people at his work said that and he said, "yes." I then asked him what he did about it and he stated, "I shot them."

I then asked he shot the ones threatening them and he stated Yes, they had me under stress and they are trying to overthrow the government using military grade equipment. He stated if you arrest them I (Joe) had to be put in protective custody they would try to kill him.

TPR Schramm then asked him how many people he shot. Joe stated he did not know. TPR Schramm if he shot the people he was talking about, Ricky and John or different people. Joe stated it was different people. Joe stated Mark, Adams, Doug, Weller (exact name he stated was unknown), and these other guys. He stated they used V2K and Ti's. Joe stated we need to investigate them and raid their houses to save other people. He stated they raped children.

I asked Joe if he was talking about the people he shot or the other people. He stated it was the people he shot. I then asked him when he shot them and he replied, today. TPR Schramm asked him if they were people he worked with and Joe stated yes he worked with them "right now."

TPR Schramm asked him what they did to him. Joe stated they kept him under threats working there trying to overthrow the government. TPR asked him if the people he shot today were trying to overthrow the government also and he replied yes. TPR Schramm asked if they were different from Ricky and John. Joe then stated Ricky stormed the capitol and

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installed mind control devices.

Joe then told TPR Schramm if he arrests him he needed to be put in solitary confinement and isolated from the pedophiles and rapists.

TPR Schramm then asked Joe to tell him what happened today. Joe said he went to work today and "they" told him "they" were going to make all his family brain dead so he had to stop them. TPR Schramm asked him if they told him all of this today and Joe stated they have mind control devices and we need to investigate them. He stated there all veterans.

TPR Schramm asked him again what happened today after "they" told Joe "they" were going to make his family brain dead. Joe said he didn't want that to happen. TPR asked Joe what he did then and Joe stated, "I shot them." TPR Schramm asked Joe where he shot them and Joe stated,

I then asked Joe if he used his gun and he stated yes. I asked him if he took it in with him and he stated yes.

Joe then stated "they" had him under threats and were going to kill his mother.

TPR Schramm asked him what happened after he shot the people today and Joe replied he drove away. TPR Schramm asked him what happened after he drove away and Joe said he came here (hospital). TPR Schramm asked him what car he drove away in and Joe replied a

TPR Schramm asked him if he had any interaction with police after he drove away. Joe said he did, he tried to kill himself. TPR Schramm asked him how he tried to kill himself. Joe stated he tried to shoot himself.

TPR Schramm asked him if he had a vehicle collision with police and Joe stated no. TPR Schramm asked Joe if he shot at police and Joe replied yes. TPR Schramm asked why he shot at police and Joe stated he wanted them to kill him. TPR Schramm asked Joe how many time she shot at police and he replied once.

Joe then stated you need to investigate "them", there making unregistered machine guns and suppressors. He again said "they" have me under threats and want to overthrow the government.

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TPR Schramm then asked Joe if he knew the names of the people he shot. Joe replied there something bad happening this year. TPR Schramm asked him if he knew when. Joe then said there was a group of people purging people from this country. TPR Schramm asked Joe how there were doing it. Joe stated they were using military grade equipment to get them out. TPR Schramm asked Joe what kind of equipment. Joe then asked if he had his phone. TPR Schramm told him we didn't have it with us. Joe stated he could show us the link. TPR Schramm asked how investigators could find the link in his phone. Joe tried to respond and give what appeared to be a web address saying duck duck go then stopped and stated you've got to stop these people.

TPR Schramm asked about the web site again. Joe stated he had a book mark called "big sister hood" then stated you got to stop these people. They are trying to make me go brain dead. TPR Schramm asked him what phone the book mark was on. Joe replied the Galaxy phone. Joe then said you need to stop them, they snuck into the capitol.

TPR Schramm asked him what big sister hood meant or represented. Joe stated several things we couldn't understand but the word "harvesting" and unwanted people of America was understandable. TPR Schramm asked him what harvesting unwanted people meant and Joe said they were cleansing, trying to get unwanted people out of the country. Joe stated you need to stop them.

TPR Schramm asked Joe how we can identify the people he is talking about or how to find them. Joe stated they are all veterans. TPR Schramm asked if there was a group they belong to or identify with. Joe replied but his reply that appeared to stated "raider" but it was not understandable. Joe then said if he had his phone he could show us.

TPR Schramm asked him how many people he shot today. Joe replied he didn't know, but stated again, they had him under threats and was going to kill his mom. He also stated he found out they raped his sister.

TPR Schramm asked him what time he went to work and Joe replied 6am.

TPR then asked Joe his full name, address and date of birth. Joe replied, Joe Louis Esquivel,
him where was located and Joe replied
him if anyone else lived with him and Joe replied he lived by himself.

TPR Schramm asked
TPR Schramm asked

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TPR Schramm asked Joe if he had any weapons in his house. Joe replied he had a full auto PS90 he got from John Jacob Wineman. TPR Schramm asked him when he got it from John. Joe replied he "supplied" me with it. TPR Schramm asked Joe what was the reason John supplied him with it. Joe stated to overthrow the government. TPR Schramm asked him if John wanted his help and Joe stated yes.

Joe then stated when he found out they were part of the human trafficking pedophile ordeal he didn't want any parts of it. He then stated they had him under threats. I then asked Joe where John lived and asked him if he lived in his neighborhood. He stated he did live in his neighborhood, on the corner. He stated we needed to raid his house to get the suppressors and machine guns.

TPR Schramm asked him what John's house looked like and Joe replied a normal house. Joe then again stated, "they" are involved in human trafficking and pedophiles and when he found out he didn't want any parts of it.

TPR Schramm asked Joe if he had other guns in house and he stated he did.

TPR Schramm asked Joe if there was anything else we needed to know before we got started. Joe stated we needed to investigate Doug Weller. TPR Schramm asked him what he did and Joe replied he was a mold inspector. Joe replied these people are up to no good, he's a veteran with unregistered machine guns and suppressors. TPR Schramm asked Joe where Doug lived and Joe stated he didn't know. TPR Schramm asked Joe what stated he lived in and Joe said Maryland.

Joe then began to state again, we needed to raid their houses and investigate them.

I then asked Joe where he got the gun he used today. He stated he bought it in Texas. I asked him what kind of gun it was and he stated it was a

At this point, we ended our interview with Joe.

It should be noted, I typed this report as I watched body camera footage of our interview with Joe to reference for information. During the interview it was hard at times to understand what Joe was saying. Copies of the body camera footage are available for

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review.

I cleared the hospital and returned to the crime scene. While there I spoke with Det. Casey Swope who was inside the crime scene assisting the forensic investigators while they were gathering evidence. She asked me during my interview of the victim of the shooting, Brandon Michael, if he stated which door the suspect used to walk into the break room. I told her he did not. She stated there were two doors to the break room and the forensic investigators wanted to know if we could find out which door Brandon saw him come through.

She stated one door to the break room was adjacent to a large garage type door and another door was located towards the shop area. I told her I could return to Meritus to talk to him.

I then cleared the crime scene and returned to Meritus. Brandon had been admitted to the hospital and was transported to a room upstairs from the trauma center. I located Brandon and he was awake and alert. I asked him what door the suspect walked through when he entered the break room. She stated Joe he was sitting at a table in the break room looking at his phone. He stated Joe walked in the door located towards the shop area. He then asked me if we recovered his cell phone. He stated he was most likely still on the table where he was sitting. He described it as red and black. I contacted Det. Swope and told her what Brandon had told me. I then asked her if they located a red and black cell phone which was Brandon's phone. She stated it was laying on a table in the break room which was most likely where Brandon was sitting.

Det/Sgt Glines is the lead investigator in this investigation.

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Status of Investigation CLOSED BY ARREST - ADULT	Report Made By CA KNIGHT, M (S3875)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Thursday, 06/09/2022 at approximately 1430 hours Alert tones were put out by the Emergency Communication Center of an active shooter at the address of

As I was responding to the scene it was determined this address was the and radio transmissions indicated there were possibly more shooting victims inside the building.

I arrived at approximately 1440 hours pulling through the main gate and positioning my patrol vehicle to the north side of the main entrance. I saw Deputy First Class J. Montenegro exiting the front main door and he told me what he knew at that time. I entered the main door and made my way to the shop area where I observed three shooting victims that all appeared to be deceased and had already been checked by DFC J. Montenegro and EMS personnel. The EMS personnel said there was an employee that had not been accounted for and a search was initiated for him at which time he was located.

I was joined by Sergeant A. Matheny, Deputies C. Stottlemeyer, C. Swope. We cleared (searched) the building area and determined there was no employees or suspects still in the building so that the crime scene could be secured.

The entire building and property are fenced in and as Sgt. Kemmerer arrived, he took charge of securing the perimeter of the fenced in area with police/sheriff's office personnel and areas interest were marked off with police caution tape. All witness were moved outside the fenced area until met with detectives from the Sheriff's Office and the Hagerstown Police Department.

I assisted with command post operations until I left the scene at 0030 hours on 06/10/2022.

Report Made By <i>CA Knight</i>	Date 06/14/22	Approved By <i>LT Footen</i>	Date 06/17/22
CA KNIGHT, M (S3875)	06/14/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_27	06/14/2022 14:59	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	CA KNIGHT, M (S3875)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Report Made By	Date	Approved By	Date
<i>M. M. Knight</i>		<i>John F. Footen</i>	
CA KNIGHT, M (S3875)	06/14/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_28	06/14/2022 15:30	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

Detective Sergeant Bryan Glines received written statements that were provided to him from EMS personnel that arrived on scene to assist in the shooting at _____ on June 9, 2022.

The first written statement that Detective Glines reviewed was written by Todd Shaffer. The following is a synopsis of what was written. Todd advised that he is a member of _____ and on that day he arrived at _____ and contacted a _____ in the field with gunshot wounds to his _____. Todd wrote that a member of Smithsburg Police Department had already applied a tourniquet to the victims _____ so Todd placed a tourniquet to the victims _____

Todd stated that he then entered the building of _____ along with members of the Washington County Sheriff's Office, to see if any other possible victims. As Todd entered the building, he located a _____ (Dawn), and a _____ (Tom) in the front office area of the building, in which they directed Todd and other members to the other patients in the building.

Todd stated that he then found two _____ patients face down in the work area outside of the _____

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/14/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_28	06/14/2022 15:30	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

entrance of the break room, in which Todd knew were deceased. Todd then located a third deceased inside of the break room also face down, obviously deceased. Todd was asked to limit any other EMS or Fire Personnel to enter the building to control the scene for law enforcement. Todd then exited the building and went to the staging area of the crime scene.

Detective Glines then received the written statement from Captain Michael M. Hayter. Michael wrote in his statement that he arrived on scene and set up Fire Department Command. Captain Hayter then stated that he went into the field of and contacted a victim that sustained two gunshot wounds. Captain Hayter then moved into the front office of the building where he encountered a on the phone in the front offices. Captain Hayter stated that the directed him to the lunchroom area where he would then find more victims.

Captain Hayter came into contact with two victims just outside of the lunchroom lying face down. Captain Hayter stated that the first victim he encountered had a gunshot wound to believing it could be an exit wound. Captain Hayter wrote in his statement that the first victim he encountered was pulseless and apneic.

Captain Hayter contacted the second victim that was just outside of the lunchroom and observed that there was a gunshot wound to the
Captain Hayter observed that
this victim was also pulseless and apneic.

Captain Hayter moved into the lunchroom and contacted the third victim. Captain Hayter immediately noticed that this victim was also pulseless and apneic. Captain Hayter believed that this victim

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/14/22	LT FOOTEN, J (S6317)	06/17/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_28	06/14/2022 15:30	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Once Captain Hayter confirmed that all three victims were deceased, Captain Hayter assisted law enforcement in locating a missing employee. Once that employee was located, unharmed, Captain Hayter confirmed that there were no other missing employees and that everyone was accounted for. Captain Hayter then exited the building.

Detective Glines was provided with a written list of names of EMS personnel that were on scene at the beginning of this incident. The list is the following:

Dennis Browne

Michael Hayter

Dawson Yankey

Gabriel Vidal

John Ashbaugh

Dave Yankey

Danny Gibson

Daniel Miller

Robert Buck

The list of these names will be kept with the case file.

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/14/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
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Complaint Number	Date of Report	Initial/Supplement
2203581_28	06/14/2022 15:30	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

This case is to remain open.

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/14/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_31	06/17/2022 10:42	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP STOTTLEMYER, C (S8041)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Friday, June 10, 2022, Detective Stottlemeyer responded to the Office of the Chief Medical Examiner for the State of Maryland in order to collect evidence for this case. Upon arrival, Detective Stottlemeyer met with Assistant Medical Examiner, Dr. Vincenti.

Dr. Vincenti informed Detective Stottlemeyer that she was responsible for completing the autopsies of Mark Frey, Charles Minnick, and Joshua Wallace. Dr. Vincenti shared that at the time of Detective Stottlemeyer's arrival, she had only been able to complete Mark's autopsy. Dr. Vincenti noted that each autopsy was going to be time-consuming since each of the three victims' had sustained several gunshot wounds. Furthermore, Dr. Vincenti directed Detective Stottlemeyer to the observation tower to wait while she completed the autopsies of Charles and Joshua.

Once in the observation tower, Detective Stottlemeyer observed the autopsies of both Charles and Joshua. During both autopsies, Dr. Vincenti recovered projectiles from both victims' bodies. Additional details pertaining to the type of projectile and the exact location of the located projectile can be found in Dr. Vincenti's reports.

After all three autopsies were complete, Detective Stottlemeyer met with Dr. Vincenti. In doing so, Dr. Vincenti provided Detective Stottlemeyer with the evidence she had collected during the autopsies, as well as the clothing worn by the victims at the time of their murders. Prior to leaving the Office of the Chief Medical Examiner for the State of Maryland, Dr. Vincenti told Detective Stottlemeyer that unofficially, she believed that Mark had been shot seven times, Charles had been shot five times, and Joshua had been shot nine times. Dr. Vincenti noted that the aforementioned count was unofficial, as those numbers were subject to change as she continued to analyze the wounds. Furthermore, Dr.

Report Made By	Date	Approved By	Date
M/DEP STOTTLEMYER, C (S8041)	06/17/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_31	06/17/2022 10:42	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	M/DEP STOTTLEMYER, C (S8041)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Vincenti reported that her final report, which will later be provided to Detective/Sergeant Glines, will reflect the official number of gunshot wounds sustained by each victim.

Once the evidence was collected, Detective Stottlemeyer transported the evidence back to Washington County, Maryland. Once back in Washington County, Maryland, Detective Stottlemeyer and Detective/Sergeant Glines placed the evidence related to Joshua in the dryer at the Washington County Sheriff's Office. Additionally, the Detectives placed the evidence related to Mark and Charles into the dryers located at the Hagerstown Police Department. It is to be noted that all three dryers were secured for the duration of the time that the evidence was drying.

On Monday, June 13, 2022, Detective Stottlemeyer and Detective/Sergeant Ward retrieved the evidence from the Hagerstown Police Department and transported it to the Washington County Sheriff's Office. Once at the Washington County Sheriff's Office, Detective Stottlemeyer, Detective/Sergeant Ward, and Washington County Sheriff's Office Property Manager, Joe Artman, processed, packaged, and entered all of the evidence collected from the Office of the Chief Medical Examiner into the property via the Washington County Sheriff's Office SAFE Evidence Management System.

This case remains assigned to Detective/Sergeant Glines.

Report Made By	Date	Approved By	Date
M/DEP STOTTLEMYER, C (S8041)	06/17/22	LT FOOTEN, J (S6317)	06/17/22



Washington County Sheriff's Office
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Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_32	06/17/2022 08:36	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00



Location of Crime:

Action Taken:

Detective Sergeant Bryan Glines reviewed the body camera footage from Deputy Nolan Carbaugh during his transport with Joe Esquivel to Meritus Medical Center. Joe was continuously stating the same things over and over as he was being loaded into the ambulance from Mapleville Road / Mount Aetna Road, to be transported to Meritus Medical Center. Carbaugh was in the ambulance with Maryland State Police Medic Greg Lance and EMS Personnel James Ulrich.

Joe was stating that he was a member of a Right-Wing extremist group and bought his firearms from his neighbor, "John Jacob Wieman". Joe was asked by Maryland State Police Medic Greg Lance if Joe had any explosives on him or at his house and Joe stated that he did not. Maryland State Police Medic Greg Lance also asked Joe if he was on any drugs/narcotics and Joe stated that he was not.

As Joe was lying on the gurney he said, "Are you listening to me?". Once the EMS Personnel James Ulrich stated that they were, Joe stated that his neighbors' houses needed raided and that he purchased his machine gun from "John Jacob Wieman", and that he is a part of a Right-Wing extremist group trying to overthrow the Government and that they broke into the Capital and stole "V2K" devices. Joe then states again that he purchased his machine gun from John Jacob Wieman and that there is another person that has full auto weapons that lives behind him named, "John J Breachbill". That name is unconfirmed at this time based on Joe rambling while in the ambulance and was hard to understand completely. Joe then states that he has a fully automatic PS-90 just before Maryland State Police Medic Greg

Report Made By	Date	Approved By	Date
			
SGT GLINES, B (S6516)	06/17/22	LT FOOTEN, J (S6317)	06/20/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_32	06/17/2022 08:36	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Lance placed an oxygen bag on Joe's mouth. Joe is heard saying, "You're going to have to do these raids or something worse is going to happen".


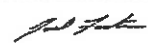
Joe then says that there is a big Right-Wing Extremist group in his neighborhood with members from Hagerstown, Maryland. Joe says again that he purchased his PS-90 from John Jacob Wieman and that it would be found when police raided his house. The medic then asked Joe if he had any explosives at his house and Joe said that he did not, that he only had unregistered machine guns.

Joe says again that they were manufacturing illegal/unregistered machine guns in his neighborhood with "John J Breachbill" and "John Jacob Wieman" were a part of the group and that they were friends with Mark Alan Frey. Joe then stated that they were manufacturing "V2K" devices and that they were a part of a pedophile (sex) ring.

Joe then states that he was a part of a big far Right-Wing extremist group and stated, "I killed them because I found out they were pedophiles, Mark Alan Frey was a pedophile and he raped my sister, I didn't find out until later, that's why I killed him". The EMS Personnel James Ulrich then grabbed Joe's attention and began to ask him questions.

The EMS personnel asked Joe what his name was and Joe responded, "Joe Esquivel" and spelled his last name. EMS personnel asked Joe what Joe's birthday was and Joe responded, . EMS personnel asked Joe where Joe lived and Joe responded, . Joe told the EMS personnel that the FBI and ATF needed to raid his neighbors' houses because they all had unregistered machine guns.

As EMS personnel were speaking with Joe, Joe said again that he killed Mark Alan Frey because Mark raped his sister and that Mark was a pedophile. Joe said, "I didn't know they

Report Made By	Date	Approved By	Date
			
SGT GLINES, B (S6516)	06/17/22	LT FOOTEN, J (S6317)	06/20/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_32	06/17/2022 08:36	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

were pedophiles, that's why I did it". Joe stated, "It I die, you gotta tell them everything I was telling you. You gotta do these raids. I just want to get that off my chest before I die".

As the ambulance arrived at Meritus Medical Center, Joe was still speaking about the FBI having to do raids at houses in his neighborhood. Joe then stated that they installed the V2K device when they raided the Capital and that Ricky Musselman was the co-founder, and then Joe's voice was muffled. Joe was then taken into the Emergency Room to be treated for his injuries.

Detective Glines and Detective Koontz caused a search of "V2K" devices and found that "V2K" is a real device that is a technology that was discovered in 1962 by Doctor Allan H. Frey and is called the "Frey Effect". It should be noted that Mark Alan Frey is one of the victims that Joe shot that was one of his co-workers. Detectives have found no evidence that any of the co-workers at , are pedophiles or are in any way related to, or connected to Doctor Allan H. Frey, the creator of V2K devices. As Detective Glines was researching V2K Detective Glines noticed that the websites that were found reference "TI". The term, "TI" was found to be an abbreviation for "Targeted Individual".

Once Joe was in stable condition Detective Sergeant Weaver spoke with Joe in reference to this investigation. Detective Weaver read Joe his Miranda Warning and Joe agreed to waive his Rights voluntarily and speak with Detectives.

Joe continued to state the same things, that he was a part of an extreme Right-Wing group with the plans to overthrow the Government. Joe brought up the name, "Ricky Musselman", "John Jacob Wieman", and "John Breachbill", as being a part of this group. Joe also stated that Mark Alan Frey was also a part of this group.

Report Made By	Date	Approved By	Date
SGT GLINES, B (S6516)	06/17/22	LT FOOTEN, J (S6317)	06/20/22



Washington County Sheriff's Office

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Complaint Number	Date of Report	Initial/Supplement
2203581_32	06/17/2022 08:36	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (\$6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Joe continuously stated that the police needed to do raids of these people's houses because they were all pedophiles and that they needed to be stopped. Joe also mentioned his cell phone and stated that he had information on his cell phone regarding these accusations. Joe also stated that these people raped his sister. Joe advised that his

It should be noted that Deputies and Detectives were with Ashley while in West Virginia and at no point in time did Ashley mention being raped by anyone to any police officer.

When Joe is asked simple questions regarding where he worked, what day it is, and other specific things, Joe is aware of everything. Joe is asked if he shot people that he has mentioned already, referring to John Jacob Wieman, John Breachman, or Ricky Musselman, and Joe stated that he shot other people. Joe advised that Mark Alan Frey was another member of this group as well as someone named Doug Weller and some other guys, were using V2K devices and TI's. Joe then stated that the police needed to raid their houses, that they were raping people. Detective Weaver asked Joe if Joe was speaking about the people that Joe shot or all of the other people Joe was mentioning. Joe stated, "The people I shot". Detective Weaver asked Joe when he shot those people and Joe answered, "Today".

Detective Weaver continued to speak with Joe and for further details regarding the interview refer to Detective Weaver's supplemental report.

This case is to remain open at this time.

Report Made By	Date	Approved By	Date
SGT GLINES, B (\$6516)	06/17/22	LT FOOTEN, J (\$6317)	06/20/22



Washington County Sheriff's Office

500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number 2203581_33	Date of Report 06/27/2022 14:09	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT WARD, H (S7281)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Tuesday, June 14th, 2022, Agent Harms with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) contacted D/Sgt. Ward at the Washington County Sheriff's Office. Agent Harms provided D/Sgt. Ward with a blue thumb drive that contained the following:

- 1) Photographs from
- 2) Matterport Scan of
- 3) Cell Phone Consent Form

The information that Agent Harms provided will accompany this supplement.

On June 20th, 2022, at approximately 12:04PM, Sgt. Martin of the Maryland State Police dropped off property at the Washington County Sheriff's Office. The property was first given to Deputy First Class Tim Atwell, who then transferred the property to D/Sgt. Ward. Sgt. Martin provided D/Sgt. Ward a black Samsung Galaxy A035 (Item #66) and 2 thumb drives. The black Samsung Galaxy is a cell phone that was recovered from the vehicle of Jose Esquivel that was seized upon the execution of a search and seizure warrant. Also accompanying the cell phone is a Maryland State Police Laboratory Examination Chain of Custody Log.

On Monday, June 27th, 2022, at approximately 1:30PM, Special Agent David Rauser with the Federal Bureau of Investigations contacted D/Sgt. Ward at the Washington County Sheriff's Office. SA Rauser provided D/Sgt. Ward with a thumb drive that contained the phone download of John Weiman, and another thumb drive that contained the phone download of Viktor Fedtsov. SA Rauser learned that Fedtsov was an associate of Esquivel and conducted an interview in attempt to gain more information on Esquivel. SA Rauser did advise during his interview with Fedtsov that a change in Esquivel's behavior was noticed recently.

Report Made By <i>[Signature]</i>	Date 06/27/22	Approved By <i>[Signature]</i>	Date 07/12/22
SGT WARD, H (S7281)	06/27/22	CA KERNS, T (S4562)	07/12/22



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Complaint Number	Date of Report	Initial/Supplement
2203581_33	06/27/2022 14:09	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT WARD, H (S7281)	
Subject of Investigation		
MURDER - FIRST DEGREE		

All property listed above has been placed into the Washington County Sheriff's Office property room under WCSO #2203581.

This case is to remain assigned to the Criminal Investigations Unit.

Report Made By	Date	Approved By	Date
<i>H. Ward</i>		<i>T. Kerns</i>	
SGT WARD, H (S7281)	06/27/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office
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Complaint Number 2203581_34	Date of Report 06/20/2022 14:10	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT GLINES, B (S6516)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00



Location of Crime:

Action Taken:

On Friday, July 1, 2022, Detective Sergeant Bryan Glines obtained a subpoena for the Medical Records for Joe Louis Esquivel, a
, for his treatment while at Meritus Medical Center from June 9, 2022 until discharge.

On July 1, 2022, Detective Glines received a Compact Disc containing the medical records. Detective Glines made a copy of this disc to be kept in the case file and has placed the original CD into evidence for this investigation. Also, a copy of the subpoena as well as the Certification Pursuant to Rule 5-902 (a) (11), issued by Meritus Medical Center staff, is placed in the case file.

This case is to remain closed by arrest.

Report Made By 	Date 06/20/22	Approved By 	Date 07/06/22
SGT GLINES, B (S6516)	06/20/22	LT FOOTEN, J (S6317)	07/06/22



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Complaint Number 2203581_35	Date of Report 06/15/2022 08:24	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By LT FOOTEN, J (S6317)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On 06/09/22 at approximately 2:40pm, Det. Lt. Joel Footen was off-duty when he received a phone call from Det. Sgt. Bryan Glines. Det. Sgt. Glines informed him that patrol units and detectives were currently responding to a possible active shooter situation in the Smithsburg area--specifically starting at Columbia Manufacturing on Bikle Rd.

Det. Sgt. Glines told Det. Lt. Footen that there were reports that multiple people may have been shot at the business and the suspect possibly fled in an
At the time, there were no officers on-scene yet and patrol units were en route. Det. Lt. Footen then went on-duty and responded to the area.

Within several minutes of ending the call with Det. Sgt. Glines, Det. Lt. Footen began monitoring the police radio for more information, and learned that Chief Robert Marker and Officer Jerry Morales, of the Smithsburg Police Dept., arrived at and found people outside of the business with injuries. Information was being relayed that there were other gunshot victims inside the business, as well.

While responding, Det. Lt. Footen also learned that the suspect vehicle was stopped in the area of Rt.66 and Mt. Aetna Rd. by Maryland State Police. There was no other information being heard on channel WCSO-1 as to the status of the suspect or what was happening at that time, but Det. Lt. Footen later learned that there was a shootout between the suspect and MSP troopers and that the suspect was shot, as well as a trooper. Det. Lt. Footen and Det. Sgt. Glines then coordinated for Det. Sgt. Glines and Det. Andrew Koontz to head to the location of the traffic stop/shooting, and Det. Lt. Footen would head to C
since there were multiple crime scenes.

Det. Lt. Footen spoke to Det. Sgt. Glines several minutes later and learned that there

Report Made By <i>[Signature]</i>	Date 06/15/22	Approved By <i>[Signature]</i>	Date 07/12/22
LT FOOTEN, J (S6317)	06/15/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office
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Complaint Number 2203581_35	Date of Report 06/15/2022 08:24	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By LT FOOTEN, J (S6317)	
Subject of Investigation MURDER - FIRST DEGREE		

were numerous MSP personnel on-scene on Rt.66/Mt. Aetna Rd. and that WCSO detectives were not needed there at the time. All WCSO detectives were then directed to

Prior to arriving to the scene, Det. Lt. Footen also spoke with other WCSO personnel, and learned there were multiple casualties at , but the exact number was still being determined. With the type of situation that was unfolding and the need for multiple resources, Det. Lt. Footen contacted Karen Cody from the FBI and informed her that WCSO was responding to an active shooter scene with multiple casualties and requested assistance from the FBI in terms of crime scene management, crime scene processing, and possible victim/family crisis assistance due to fatalities.

As Det. Lt. Footen arrived on-scene, he met with Sgt. Patrick Kemmerer who was coordinating the patrol deputy response and directing arriving units to different posts for crime scene security and other tasks. It was then established that Sgt. Kemmerer would be the direct supervisor for the patrol-level operations and Det. Lt. Footen would be the direct supervisor for the investigative operations. A command post was established outside of the fence-line at and the Mobile Command Center (MCC-1) was brought to the location for a formal command center.

Det. Lt. Footen then spoke with Trooper Jonathan Martin of the Maryland State Police and it was determined that WCSO would handle the investigation and charges for the events that took place at , and MSP would handle the investigation and charges for the events that occurred at the traffic stop on Rt.66/Mt. Aetna Rd.

During the initial investigation at , Det. Lt. Footen remained at MCC-1 and coordinated with responding investigative support personnel, including the FBI, the ATF, and Western Maryland Regional Crime Lab. It was determined that the FBI's crime scene technicians would assist in the locating, processing and collecting of evidence with WMRCL personnel, and WMRCL would ultimately seize the evidence from the scene. Prior to anyone entering the scene, it was learned that the manager of , Thomas Neil, gave Det. Sgt. Glines consent for any police officer or resource to enter the business for the investigation and crime scene processing.

While Det. Lt. Footen was coordinating the crime scene investigation logistics, he learned that the suspect (Joe Esquivel) had been making statements while in custody and under medical care that there could possibly be another suspect related to the shooting, or for

Report Made By <i>[Signature]</i>	Date 06/15/22	Approved By <i>[Signature]</i>	Date 07/12/22
LT FOOTEN, J (S6317)	06/15/22	CA KERNS, T (S4562)	07/12/22



Washington County Sheriff's Office

500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

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2203581_35	06/15/2022 08:24	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	LT FOOTEN, J (S6317)	
Subject of Investigation		
MURDER - FIRST DEGREE		

a different shooting that had not occurred yet. This information was being relayed from Det. Sgt. Howard Ward, who was receiving it from patrol deputies that were overhearing Esquivel talking while at the hospital. The information was that Esquivel had a neighbor that was allegedly manufacturing automatic firearms and was possibly going to be involved in a different shooting. Det. Lt. Footen then directed the other detectives to focus on the new information that was coming in and to track-down any leads as to who the neighbor was, and then police would respond to contact the neighbor and either intervene with any criminal activity and/or learn any possible information into the shooting at

From the information that the detectives obtained, Esquivel's neighbor was identified and Det. Sgt. Howard Ward responded to Berkeley County, WV, and met with Berkeley County Sheriff's Office members and agents with the ATF and continued the investigation there. Refer to Det. Sgt. Howard Ward's supplement for more details regarding the actions taken and information obtained in WV.

Ultimately, back at the FBI and WMRL processed the crime scene and collected all evidence that was located. WMRL took possession of the evidence, and then the medical examiner's office was notified that the scene was ready for a medical examiner to enter to view the three deceased bodies. Forensic Investigator Bradley Dwyer arrived on-scene, and then Det. Lt. Footen joined Dwyer and entered to view the scene. Det. Lt. Footen observed the three deceased victims from a distance and saw that they were all either inside, or just outside the break room as described by other deputies who initially entered the business to secure it upon their initial arrival. Det. Lt. Footen then exited the scene until Dwyer was finished with his examination of the scene/bodies and the three victims were taken from the scene and transported to the Chief Medical Examiner's Office in Baltimore for autopsy.

Once the bodies were removed, crime scene technicians cleared and the scene was able to be opened. Det. Lt. Footen and other detectives then went thru the business and secured all of the doors, at the request of the company. After the business door were secured, Det. Lt. Footen informed the patrol deputies maintaining security posts that they could shut down the scene and leave their posts, and all police units left the scene.

Further investigation into the shooting was conducted by WCSO CIU and Det. Sgt. Glines was assigned as the lead detective.

Report Made By	Date	Approved By	Date
<i>LT Footen</i>		<i>T. Kerns</i>	
LT FOOTEN, J (S6317)	06/15/22	CA KERNS, T (S4562)	07/12/22



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MURDER - FIRST DEGREE		

Report Made By	Date	Approved By	Date
<i>LT Footen</i>		<i>T Kerns</i>	
LT FOOTEN, J (S6317)	06/15/22	CA KERNS, T (S4562)	07/12/22



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Complaint Number 2203581_36	Date of Report 07/06/2022 15:14	Initial/Supplement Supplement
Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT GLINES, B (S6516)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

Timeline of shooting at

June 9, 2022:

Approximately 6:00 AM - Joe Esquivel arrived to work at

Approximately 2:20 PM - Just prior to the 2:30 break, Joe Esquivel messed up a project and was being taught by Manuel Mendez (another employee) on how to correct the mistake



2:30 PM - Break for the employees at . Manuel Mendez went to the front office to speak with Dawn Green prior to leaving work for the day. Hunter Schlotterbeck, Brandon Michael, Joshua Wallace, Charles Minnick, and Mark Frey were in the break room

2:31 PM - Joe accessed his Apple Music and listened to "Pull the Trigger" by Black Sun Empire & State of Mind

Approximately 2:33 PM - Joe Esquivel enters the break room at and begins to fire a 9mm Handgun at his co-worker (Hunter Schlotterbeck, Brandon Michael, Joshua Wallace, Charles Minnick, and Mark Frey), injuring Brandon Michael and killing Joshua Wallace, Charles Minnick, and Mark Frey

2:36 PM - Washington County Emergency Communications Center (WCECC) receives a 911 call from . Secretary, Dawn Green, about active shooter in building

2:40 PM - Dawn Green reports during the 911 call that the suspect fled business in

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Subject of Investigation MURDER - FIRST DEGREE		

2:41 PM - Joe Esquivel accessed his Bank of America application on his iPhone. At the time of this writing it is unknown why Joe Esquivel accessed that application. At the time of this writing it is believed that Joe Esquivel sent \$2,000 to , Ashley Esquivel

2:43 PM - Smithsburg Police Officer Jerry Morales followed by Smithsburg Police Chief Rob Marker arrive at Officer Morales reports three subjects down in a field adjacent to business.

2:47 PM - . Hunter Shlotterbeck calls 911 to report incident and shares he was hiding behind a building to the south of

2:47 PM - WCECC receives information that there are "three down inside" of

2:48 PM - Victims located inside declared deceased per EMS1814

2:49 PM - Maryland State Police (MSP) intercepts suspect's (Joe Esquivel) on Mapleville Road and Mount Aetna Road (traffic circle)

2:51 PM - WCECC receives information pertaining to 9mm handgun at Mapleville Road incident



2:52 PM - Brandon Michael transported from to Meritus Medical Center (MMC) via Smithsburg EMS

2:55 PM - Joe Esquivel receives 2 text messages on his Samsung Cellular telephone from Ashley Esquivel asking about the \$2,000 she received from Joe

2:58 PM - General Manager, Tom Neil, contacts WCECC and reports that the suspect in the shooting was employee "Joe Esquivel"

3:00 PM - MSP reports a MSP Trooper was shot by the Suspect (Joe Esquivel) as well as the Suspect (Joe Esquivel) also being shot by Police Officer's at Mapleville Road incident

3:06 PM - Columbia Metal secured and crime scene established

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3:13 PM - Suspect vehicle registration belonging to the
and belonging to Joe Esquivel was
provided to WCECC

3:45 PM - incident had witness interviews completed and witnesses
transported from the scene

Approximately 4:00 PM - Western Maryland Regional Crime Laboratory (WMRCL) and FBI
evidence collection team began processing scene at

10:15 PM - Forensic Investigator from the Chief Medical Examiner's Office, Brad Dwyer,
arrived on scene

10:52 PM - Heartfelts Mortuary (Ken Mohr, Jo Anne Moore, and Matthew Moore) arrived on
scene at

6-10-2022:

12:59 AM - Joshua Wallace, Charles Minnick, and Mark Frey transported from
to the Chief Medical Examiner's Office in Baltimore for autopsies to be
performed at a later time. secured and scene cleared.

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Status of Investigation CLOSED BY ARREST - ADULT	Report Made By SGT GLINES, B (S6516)	
Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:

On Monday, July 11, 2022, Detective Sergeant Bryan Glines retrieved a Samsung Galaxy cellular telephone from the Washington County Sheriff's Office property to search through the cellular telephone. This is the cellular telephone that belongs to Joe Esquivel. Detective Glines also received two cellular forensic downloads from the Washington County Sheriff's Office property.



These cellular downloads are forensic downloads of the Samsung Galaxy cellular telephone as well as an iPhone SE cellular telephone. Both of these phones belonged to Joe Esquivel. The downloads were conducted by Sergeant J. Lee from the Maryland State Police.

Detective Glines reviewed the forensic cellular download for the Samsung Galaxy device and observed that the telephone number associated with this device is 304-886-1872. Detective Glines located two text messages that were sent to Joe's cellular telephone on June 9, 2022 at 2:55 PM. The text messages were from the number 304-886-1872, which is the telephone number for Ashley Rachel Esquivel. The text messages are as follows:

- June 9, 2022 / 2:55:12 PM From 304-886-1872 Wtf
- June 9, 2022 / 2:55:16 PM From 304-886-1872 Why'd u send 2000

Detective Glines believes that based on that text message there is a possibility that Joe had sent Ashley \$2,000 at some point. Detective Glines did not see any transactions that were made from this device, nor did Detective Glines see any indication that Joe utilized any applications to send any money as well.

Detective Glines continued to review content from this phone and located a conversation

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through Snapchat between Detective Glines did confirm through the actual Samsung device that the account that is used by Joe Esquivel is "Joe ?" with the handle The message was the following:

- April 23, 2022 / 11:21:06 PM from : Is your uncle Mark Allen Frey


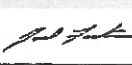
Detective Glines noticed that this message has been deleted, however it was able to be recovered during the forensic download. It should be noted that Mark Allen Frey is one of the victims in this investigation.

Detective Glines reviewed photographs in this device from the forensic download and found that Joe has numerous photographs of nude women, pornography, and firearms. Detective Glines located a photograph that appears to be a screenshot from YouTube of a text conversation from Salvador Ramos, who is the person who shot several children and teachers in a school shooting in Uvalde, Texas on May 24, 2022. The messages that have circulated through news outlets from Salvadore Ramos and an unknown female is the following:

- Salvadore: Ima tell you rn hold on
- Salvadore: Waiting for this (blank)
- Salvadore: Ima do something to her rn
- Salvadore: Omg
- Salvadore: Shes on the phone with AT&T abojt my phone
- Salvadore: It's annoying
- Salvadore: What
- Salvadore: I just shot my grandma in her head
- Salvadore: Ima go shoot up a elementary school rn
- Unknown Female: I just saw the news

Detective Glines also located a screenshot of the news showing the aerial view of Robb Elementary School during the investigation of the school shooting in Uvalde, Texas on May 24, 2022.

Detective Glines then located photographs that appeared to be photographs of another mobile device of employees that work at The employees are Jesse Ryan Allamong, Manual Anrique Mendez, and Mark Alan Frey. The photographs appeared to be on some kind of database for showing the employees that work at throughout the United States.

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Complaint Number 2203581 37	Date of Report 08/03/2022 10:01	Initial/Supplement Supplement
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Subject of Investigation MURDER - FIRST DEGREE		

Detective Glines searched the word "Frey" through Cellebrite Reader through the Samsung Galaxy download. Detective Glines found a conversation through Snapchat Application on April 23, 2022 / 11:21:06 PM where Joe sent to username "Is your uncle Mark Allen Frey". There was no response from and nowhere else in their conversation do they speak of Mark Allen Frey.


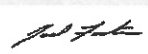
Detective Glines continued to search through the Samsung cellular telephone download and located several photographs that were screenshots or still photographs of electronic mind control. Joe appeared to be paranoid to some degree about mind control and "gangstalking" Detective Glines researched "Gangstalking" and found that it is a set of persecutory beliefs in which those affected believe they are being followed, stalked, and harassed by a large number of people. The term is associated with the targeted individual (T.I.) virtual community formed by like-minded individuals who claim their lives are disrupted from being stalked by organized groups intent on causing them harm.

Joe had several screenshots speaking of T.I.'s and "gangstalking" from a website called "4-chan". 4-chan is an unmonitored forum where people can speak freely about any sort of topic. Detectives found that most of the chats are written by "anonymous", which is not unusual for 4-Chan as they do not require any type of username or documentation of the authors.

Detective Glines also located on the Samsung download that Joe was researching all types of pornography such as bestiality, homosexual, and videos that are disturbing. Joe also had numerous photographs and video searches of legal age adult females who were either nude or partially nude with some of them performing sexual acts.

Detective Glines found on this Samsung download that on June 7, 2022, Joe had searched "EMF Radiation" numerous times as well as "numbness in head and dizziness. Joe also had searches on his phone related to "Weed Brain Fog" and had visited websites titled "Mass Murder, Targeted Individuals, and Gang-Stalking: Exploring the Connections/Violence and Gender".

Detective Glines then began to analyze the data that was from the iPhone SE that belongs to Joe Esquivel. Detective Glines began by searching through the images on the device and found a photograph or still shot of a Google image of the intersection of Rankestrasse and Tauntzienstrasse in Berlin, Germany. The photograph was created on the iPhone on June 8,

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2022 at 10:31:09 AM (UTC-4). Just above the intersection are the words, "Site of Incident".

Detective Glines caused a search to be made through the internet for incidents that occurred in Berlin, Germany in June, 2022, and found that on June 8, 2022 a person drove a vehicle onto the sidewalk at the intersection from the image on the iPhone that killed one person and injured 17 school students. According to news articles it is believed that the driver intentionally drove into the crowd of people attempting to kill as many as he could.


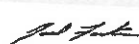
Detective Glines also located a photograph in the iPhone of a screenshot of a TikTok showing the suspects in Columbine High School massacre on April 20, 1999. The TikTok showed Dylan Klebold and Eric Harris in the school during the shootings. The TikTok was tagged as

Detective Glines also located several other screenshots/photographs in the iPhone to include a screenshot from Twitter showing information regarding Kyle Rittenhouse and how he was charged with murder in the shooting in Wisconsin during the summer of 2020. Detective Glines found a photograph of a screenshot from Twitter that showed Stephen McDaniel, the convicted murderer in 2011, being interviewed as a part of the police investigation. The caption reads, "What a real-life psychopath looks like" and then under the photograph it reads, "Killer Stephen McDaniel keeps his body eerily still during 2-hour interrogation".

As Detective Glines continued to sort through the photographs on the iPhone Detective Glines located a screenshot of 20 mass shooters in American History with the headline stating, "Mass Shootings are a White Problem". The 20 mass shooters in the photograph are all non-white suspects.

Detective Glines located a photograph of a

. The Metadata from the photograph shows that the Camera Make is Apple, the Camera Model is iPhone SE, and the capture time is 3-24-2022 at 12:23:11 PM. Detective Glines caused a check to be made of that registration and found that the registered owner is Mark Allen Frey. There is no location data on the photograph, however the background of where the truck is parked appears to be the building.

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Detective Glines located a screenshot of a news article reading, "The FBI says a guy blew his hand off with a bomb possibly planned for an attack on 'hot cheerleaders". Also, there was a screenshot of a post from some sort of social media application speaking of a verdict of some kind of "not guilty" and "It's not violence it's self defense". Someone posted under that, "I'm going to say that when I go back to Maine with my AR-15 and light up a bunch of conservatives".

Detective Glines located two screenshots of White Page searches for "John Jacob Weiman" as well as the address . It should be noted that John Jacob Weiman is the neighbor that Joe Esquivel stated that he purchased illegal firearms from. It should also be noted that is the street behind where Joe resides in where he also made claims that someone on that street was also a part of illegal firearms purchasing.

Detective Glines sorted through the "Searched Items" from the download and found that on 5-30-2022 at 12:01 AM, Joe searched "Domestic Terrorist Law". Joe also searched numerous addresses all across the United States. Detective Glines searched some of those addresses and found that the addresses that were researched by Detective Glines returned to firearm shops.

Detective Glines sorted through the "Application Usage Log" and found that on June 9, 2022 at 2:33 PM, 2:38 PM, and 2:39 PM, Joe accessed his Apple Music Application. Detective Glines then physically looked at Joe's Apple iPhone and opened the Apple Music Application to see what the last song Joe was listening to was. Detective Glines saw that the song "Pull the Trigger" by Black Sun Empire & the State of Mind was the last song Joe listened to. Detective Glines listened to the song and found that the song is hype music with very little lyrics. The only lyrics Detective Glines could hear/understand are the words, "Sometimes you have to take matters into your own hands, Pull the Trigger".

Detective Glines also found in the "Application Usage Log" that on June 9, 2022 from 2:41 PM until 2:44 PM, Joe accessed his Bank of America application. It should be noted that Joe had received text messages from his on his Samsung device of the following:

- June 9, 2022 / 2:55:12 PM From
- June 9, 2022 / 2:55:16 PM From

Wtf
Why'd u send 2000

Detective Glines believes that Joe accessed his Bank of America Application to send \$2,000

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MURDER - FIRST DEGREE		

, Ashley. Detective Glines is obtaining a subpoena for the bank account records for Joe Esquivel through Bank of America.

In reviewing the timeline for this investigation, refer to the supplemental report indicating he timeline, Detective Glines noted that that 911 call was received at 2:36 PM on June 9, 2022. This was 3 minutes after Joe accessed the Apple Music song, "Pull the Trigger". Also according to the timeline, at 2:40 PM on June 9, 2022 it was reported that Joe had fled the building in his . It should be noted that Joe accessed his Bank of America application just after fleeing from the shooting to send money to his with the anticipation of being arrested for his actions or having his life taken from him by law enforcement or himself.

Detective Glines is also having Sergeant Howard Ward from the Washington County Digital Investigation Forensic Unit review the cellular telephone downloads to verify the findings by Detective Glines.

This case is to remain closed by arrest.

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Complaint Number 2203581_38	Date of Report 08/03/2022 14:23	Initial/Supplement Supplement
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Subject of Investigation MURDER - FIRST DEGREE		

Body Camera (N)

Date & Time of Incident:

Start: 06/09/2022 14:00

End: 06/09/2022 15:00

Location of Crime:

Action Taken:


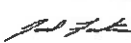
On July 12, 2022, Detective Sergeant Bryan Glines had a subpoena sent to Bank of America to receive bank records for Joe Louis Esquivel,

On July 26, 2022, Detective Glines received a response from Bank of America in regards to the subpoena. Bank of America advised that they could not provide any information that was requested. The reason was explained that they could not locate any of the accounts or records requested based on the information that was provided.

Detective Glines contacted Bank of America's legal department and inquired as to why they could not provide any information. Bank of America explained that they could not provide this information with only a name and date of birth of the customer. Bank of America stated that they need a social security number or bank account number for the customer.

Detective Glines searched Keystone, a law enforcement database, and obtained the social security number that was in that computer system. The social security number in Keystone is . On August 5, 2022, Detective Glines had a second subpoena submitted to Bank of America with the name, date of birth, and social security number that was in Keystone for Joe Esquivel.

On August 22, 2022, Detective Glines received notification from Bank of America that they again could not provide this information to Detective Glines. The reasoning was the same

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Subject of Investigation MURDER - FIRST DEGREE		

as the first subpoena that was submitted. Detective Glines contacted Bank of America again and was advised that the social security number provided was not to the name Joe Esquivel. Detective Glines asked Bank of America what name that social security number returned to and Bank of America could not provide that information. Detective Glines caused a check through CLEAR, a law enforcement computer database, for Joe Esquivel and found that Joe's social security number is

Detective Glines also retrieved the iPhone belonging to Joe Esquivel from the Washington County Sheriff's Office property. Detective Glines looked through the actual iPhone and observed the application downloaded onto the iPhone for Bank of America. Detective Glines opened the application and was able to access the Bank of America information for Joe Esquivel. Detective Glines observed two accounts for Bank of America, one being Adv Plus Banking with account number 5 with the balance of \$2,707.37 and the other Customized Cash Rewards World Mastercard Card.

Detective Glines looked at the recent transactions on the Bank of America Adv Plus Banking account and observed that on June 9, 2022 Joe made a Zelle money transfer to Ashley Esquivel for \$2,000.00. Detective Glines also observed that on June 10, 2022, a deposit was made from payroll for \$1,505.21 and another deposit from was made on June 24, 2022 for \$807.82.

Detective Glines then went to the settings on the application and observed the option to review the Login History. Detective Glines observed that there were only two log ins on June 9, 2022, one being 2:41 PM and 2:42 PM. These times coincide with the data that was located on the iPhone download of the application access as well as the text message Joe received from Ashley indicating that Joe sent her \$2,000. Therefore, after Joe Esquivel shot his co-workers, he had the mindset of getting onto his phone application while fleeing and sending nearly all of his money in his account to Ashley.

On August 23, 2022, Detective Glines had a third subpoena sent to Bank of America now with the correct social security number and bank account number for the information from the

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account.

It was also brought to Detective Glines' attention that there were rumors that Joe Esquivel had received his performance evaluation the day of the shooting and that management of brought up that Mark Frey had been complaining about Joe's performance. It was rumored that this was the cause of Joe Esquivel shooting co-worker, specifically Mark Frey, that day.

Detective Glines reached out to Tom Neil, the general manager of , and inquired as to if there was a performance evaluation that day for Joe Esquivel. Tom explained that Joe was scheduled for a performance evaluation, however it was not scheduled for June 9, 2022. Tom could not remember the date that it had been scheduled, and believes that it might have already taken place, however Tom advised that he would find the date and reach back to Detective Glines once that was obtained.

Tom also wanted to straighten out another rumor that he had heard regarding the motive for Joe Esquivel's shooting his co-workers. Tom stated that the rumor was that Joe messed up some type of part for one of the machines and that was why Joe shot his co-workers. Tom explained that Joe had not messed up any part, however Joe did set an off-set wrong on one of the machines before making the part. This wrong off-set was caught before messing up any type of part and Tom stated that the programmer corrected Joe and taught Joe what he had done wrong. Tom stated that it was not a big deal and that Joe and the programmer did not have any type of argument.

Tom Neil later contacted Detective Glines and advised that Joe Esquivel last had a performance evaluation on March 10, 2022 and that the evaluation was a satisfactory review.

This case is to remain closed, however further supplemental reports are expected.

Report Made By 	Date 08/03/22	Approved By 	Date 08/30/22
SGT GLINES, B (S6516)		LT FOOTEN, J (S6317)	



Washington County Sheriff's Office
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740

Complaint Number	Date of Report	Initial/Supplement
2203581_38	08/03/2022 14:23	Supplement
Status of Investigation	Report Made By	
CLOSED BY ARREST - ADULT	SGT GLINES, B (S6516)	
Subject of Investigation		
MURDER - FIRST DEGREE		

Report Made By	Date	Approved By	Date
	08/03/22		08/30/22
SGT GLINES, B (S6516)	08/03/22	LT FOOTEN, J (S6317)	08/30/22

written statement sb782.pdf

Uploaded by: ANGELA FREY

Position: FAV

Judicial Committee,

The drive for me to appear before you takes almost 5 hours round trip and you allow me only two minutes of your time to instill upon you the seriousness of what has transpired within your state judicial system. I'd like to elaborate on my two-minute oral testimony here.

As the crimes committed against the unsuspecting citizens of your state become more frequent, more violent and deadly, the laws on your books and the consequences do not align with the crimes being committed. Your judges and States Attorneys are not upholding the antiquated laws that do exist. Your Health Department thinks they can rehabilitate someone who slaughtered three innocent, unarmed, working men while they took a break at work.

The inhumane being that took my husbands life, planned and executed the premeditated murder. As documented in the police reports that I have attached to this file, he knew exactly what he was doing throughout the weeks and minutes that led up to and followed this heinous act. He had photos of my husbands truck, there was evidence that he talked about him on the dark websites, he took guns to work, he waited until his friend Manny left the shop floor as he knew Manny was leaving early that day for an appointment, he went to his car and retrieved his gun(s) and put on music titled "Pull the Trigger," and he moved the money in his bank account to his sister. On his way out, he came face to face with Hunter and he CHOSE not to shoot him. Prior to the killings he questioned an employee asking if the "Country Boys" were part of the KKK. He had a dislike for country boys and the three men he killed were the poster boys of that stereo-type. Mark, CJ, Josh, and Brandon were outdoorsman, responsible gun owners, family men, fathers, and husbands.

The killer had a history of gun violence and mental issues that went without consequence. During his time at Spring Mills Highschool in West Virginia, he threatened to shoot up the school. For that he was only suspended. He landed at Columbia Machine through a temp agency called Express Employment who knew he had been a problem for other employers where he was placed but they kept placing him. Columbia Machine management was aware of issues because my husband was the boys supervisor and he reported issues to the General Manager. Yet, there were no consequences.

After laying my dear husband to rest, I never dreamed of what was ahead for me. I never thought that the kid wouldn't go to jail or that I'd ever have to worry that he would be free. The Washington County Sheriff's Office assured us that they had more than enough evidence that he would never see the light of day. However, that was not true. In November

2022, smug Christopher McCormick informed us that the public defender had filed the NCR but basically they didn't think it would stick. In April 2023, we learned differently. We were informed that a doctor thought that during the split second that the boy pulled the trigger he didn't understand the consequence of his actions. Never mind all the evidence of premeditation. Never mind any other aspects of the killings. McCormick and his side-kick Christine Remsburg informed us that there was nothing else that could be done. McCormick told us if we didn't like to reach out to lawmakers.

I've learned since that NCR is supposed to be decided by a jury and that most all cases that plea NCR fail because the burden of proof falls on the defendant and its rarely successful.

Our case was never heard by a jury. The state didn't file any objections, opposition, appeals or any other available action to fight for us or protect our rights. They didn't do anything for us. Now we are the ones who suffer for the rest of our lives while the state protects the civil rights of a violent killer. Where is the justice in that?

To the State of Maryland, the civil rights of a violent murderer are more valuable than the lives of three wonderful men who were slaughtered while doing an honest days work.

Senator Corderman seems to be the only person who cares and this may be my last chance to get you to do the right thing and give my husbands death some kind of meaning so that others don't have to suffer the way that our families have at your hand.

Forever in Mourning,

Mrs. Mark Frey

SB 782 Sen Corderman Testimony F.pdf

Uploaded by: Paul Corderman

Position: FAV

PAUL D. CORDERMAN
Legislative District 2
Frederick and Washington Counties

Budget and Taxation Committee

Subcommittees

Capital Budget

Education, Business and Administration



James Senate Office Building
11 Bladen Street, Room 403
Annapolis, Maryland 21401
410-841-3903 • 301-858-3903
800-492-7122 Ext. 3903
Paul.Corderman@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 4, 2025

Senate Judicial Proceedings Committee
Chair Will Smith
Vice Chair Jeff Waldstreicher
2 East Miller Senate Office Building
Annapolis, MD 21401

Testimony in Support of Senate Bill 782– Criminal Procedure – Not Criminally Responsible Verdict – Term of Commitment

Chair Smith, Vice Chair Waldstreicher, & Members of the Judicial Proceedings Committee,

Thank you for the opportunity to present SB 782 – Criminal Procedure – Not Criminally Responsible Verdict – Term of Commitment. In June of 2022, the Washington County Community suffered a tragic loss when Mark Alan Frey, Charles Edward Minnick, and Joshua Robert Wallace were gunned down and murdered at their workplace by a disgruntled and disturbed employee. The shooter fled the scene but was apprehended following a shootout with Maryland State Police Officers.

Fast forward to April of 2023. The families of the three murder victims were informed that the killer would not receive any prison time for his crimes. Instead, he was deemed not criminally responsible for his actions and would be committed to a mental health facility. In June of 2023, just one year after this horrific event, this individual was given the option to be evaluated for potential release back into our community, becoming eligible for release without serving any time in prison. He did not contest his commitment at that time. However, under current law, he is eligible to be evaluated for release again in one year.

Currently the average stay for individuals found not criminally responsible for murder in the first or second degree who have been remanded for treatment across all five psychiatric hospitals in the State of Maryland is 3,634 days. SB 782, if passed, would require the court, after a verdict of not criminally responsible for murder in the first degree or murder in the second degree to commit a defendant to a designated healthcare facility without the eligibility for discharge for a minimum of 10 years.

We are simply requesting that an individual that has committed murder in either the first or second degree would not be eligible for release so quickly. The families of the victims deserve better, and it is agonizing for them to know that the individual that murdered their loved ones may be released in as little as one year after undergoing treatment.

Thank you for your consideration and I respectfully ask for a favorable report on SB 782.

Sincerely,

A handwritten signature in blue ink, appearing to read "P.D. Corderman", with a long, sweeping horizontal line extending to the right.

Paul D. Corderman
District 2 – Washington & Frederick Counties

LOS SB 782.pdf

Uploaded by: Tammy Roberts

Position: FAV

Tammy M Roberts
10846 Downsville Pike, Apartment 2
Hagerstown MD 21740
(240)520-8951
Robertstammy11@yahoo.com

February 28, 2025

RE: Letter of Support, SB 782

To Whom It May Concern:

Please accept this letter of support for SB 782.

On the afternoon of Thursday, June 9, 2022, as I was starting a long-awaited vacation with my grandchildren, I received a phone call that changed my life forever.

I was told that my son, Joshua Wallace and 2 of his coworkers had been murdered in cold blood at Columbia Machine earlier that day by 23 year old Joseph Esquivel. I would later find out that my son had been shot 9 times. Mr. Esquivel also shot Brandon Michael and a police officer who survived.

Not only were we left to deal with the senseless deaths of our loved ones, we had to make sure their killer was held accountable. I had faith in our legal system, that surely someone who committed such a crime would be locked away forever, and we could focus on grieving and healing.

My misplaced faith in the Maryland justice system was wiped away when, on November 17, 2022, we were informed by Christopher McCormack, one of the prosecutors on the case, that a Not Criminally Responsible Plea was being entered. We were also informed that we could not appeal this decision and that their hands were essentially tied. We were told that Mr. Esquivel would be placed in a mental institution until he was determined not to be a threat to himself or others.

We were told we would be given a chance to give a Victim Impact Statement, but it wasn't going to change anything. Mr. McCormack told us if we were unhappy with this decision, we should reach out to our state lawmakers.

I would like to thank Angie Frey for reaching out to everyone she could find, and for Senator Paul Corderman for responding.

Senate Bill 782 will allow the mentally ill to receive the treatment they need while eliminating the annual review for release.

We have already been given a life sentence of having to live without our loved ones who were taken from us by Mr. Esquivel, but we are now sentenced to carry this trauma and revisit it every time he gets his yearly review for release. The idea that he could one day walk freely among us is unimaginable to me. I believe you would feel the same way if this had happened to you.

When Joshua, Mark and CJ went to work that Thursday morning, they all had plans for the weekend, and dreams for their future. Please do not allow their needlessly shortened lives to be in vain.

Vote yes for this bill, keep killers where they belong, and spare victim's families a lifetime of trauma having to spend the rest of our lives fighting for the justice they were denied.

Thank you,

Tammy M Roberts

Tammy M Roberts

SB0782_MHAMD_Unfav.pdf

Uploaded by: Ann Geddes

Position: UNF

**Senate Bill 782 – Criminal Procedure – Verdict of Not Criminally Responsible –
Eligibility for Evaluation for Discharge
Senate Judicial Proceedings Committee
March 4, 2025
Position: UNFAVORABLE**

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in opposition of SB 782.

SB 782 would require that a person found “not criminally responsible” for the crime of first- or second- degree murder not be eligible for discharge from commitment for at least 10 years from the date of commitment.

Current Maryland law states that a person found not criminally responsible for a crime, as a result of a mental disorder or an intellectual disability, is eligible for conditional release from commitment if it has been determined that they would not be a danger to self, to others, or to other’s property.

Maryland’s current law reflects best practice, in place in many states. The assumption is that confinement after a “not criminally responsible” acquittal is appropriate only for as long as confinement is clinically justified and serves a rehabilitative purpose.¹ People acquitted because they were found “not criminally responsible” by reason of a mental illness should receive treatment, and treatment should be with the goal of recovery, not punishment.

In the criminal justice system, confinement is intended to protect the public, to serve as a deterrent from criminal activity, and to punish people who harm others. For people with serious mental health conditions that were found to be so profound that the person is deemed not criminally responsible, confinement does not serve as a deterrent,² and because a person is acquitted, confinement as punishment is unjust. Regarding protection of the public, current law permits confinement unless the person has been found to pose no danger to self or others.

Not only is prolonged confinement both unjust and serves no practical purpose, it would further strain the already overburdened Maryland state psychiatric hospitals. The purpose of

¹ Mental Health America. In support of the insanity defense. <https://mhanational.org/issues/support-insanity-defense>

² Winkel, Susan. “Free Will, Responsibility & Forensic Psychiatry: An Exploration of Justifications for the Insanity Defense.” (2013),

the state hospitals has always been to promote treatment and recovery, and not to simply house people as punishment.

Extending in statute the time of confinement to a minimum of ten years for those found not criminally responsible of certain charges is unjust, pointless, expensive, and would strain the state's already overcrowded state hospital system.

For this reason, MHAMD opposes SB 782 and urges an unfavorable report.

SB 782.pdf

Uploaded by: Ashley Clark

Position: UNF

MARYLAND PSYCHIATRIC SOCIETY



February 11, 2025

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APA AREA 3 TRUSTEE

Geetha Jayaram, M.D.

The Honorable William C. Smith
Chair, Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: Oppose – SB 782: Verdict of Not Criminally Responsible - Eligibility for Evaluation for Discharge

Dear Chairman Smith and Honorable Members of the Committee:

The Maryland Psychiatric Society (MPS) and the Washington Psychiatric Society (WPS) are state medical organizations whose physician members specialize in diagnosing, treating, and preventing mental illnesses, including substance use disorders. Formed more than sixty-five years ago to support the needs of psychiatrists and their patients, both organizations work to ensure available, accessible, and comprehensive quality mental health resources for all Maryland citizens; and strive through public education to dispel the stigma and discrimination of those suffering from a mental illness. As the district branches of the American Psychiatric Association covering the state of Maryland, MPS and WPS represent over 1100 psychiatrists and physicians currently in psychiatric training.

The MPS/WPS opposes Senate Bill 782: Verdict of Not Criminally Responsible - Eligibility for Evaluation for Discharge. Currently in Maryland, individuals who are found not criminally responsible (NCR) are committed to the Maryland Department of Health (MDH) for inpatient psychiatric hospitalization until it is determined they are no longer a dangerous due to their mental illness. There is currently no set minimum time that a person adjudicated NCR must remain committed to MDH for treatment. SB 782 would create the requirement for a minimum commitment of 10 years for those adjudicated NCR on charges of First- and Second-Degree Murder. MPS opposes this change for a few reasons.

This bill would change the focus of the NCR outcome from treatment of the individual's mental illness to punishment, even though the court determined that this person committed the crime due to their mental illness. Under the U.S. Supreme Court Case *Jones v. US*: "the nature and duration of commitment must bear some reasonable relation to the purpose for which the individual is committed." In other words, the length of hospitalization needs to be determined by clinical need rather than by legislative mandate. Under *Jones v. U.S.*, creating a mandatory minimum commitment for those adjudicated NCR on any charge would be a violation of Due Process. Additionally, creating a mandatory minimum commitment for these individuals would exacerbate the shortage of state hospital beds. There is currently a several months long wait list to be admitted to an MDH hospital, which would get longer with the passage of this bill. For these reasons, MPS opposes SB 782.

If you have any questions regarding this testimony, please contact Lisa Harris Jones at lisa.jones@mdlobbyist.com.

Respectfully submitted,
The Maryland Psychiatric Society and the Washington Psychiatric Society
Legislative Action Committee

SB782 NCR Comm OPD UNF 2 28 25.pdf

Uploaded by: Kimberlee Watts

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: SB782: Criminal Procedure- Not Criminally Responsible Verdict- Term of Commitment

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: 2/27/2025

The Maryland Office of the Public Defender respectfully requests that the Committee issue an unfavorable report on Senate Bill 782 because it is unlikely to pass constitutional review under the principles set forth in *Jones v. United States*, 463 U.S. 354, 103 S. Ct. 3043, 77 L. Ed. 2d 694 (1983). While the Office of the Public Defender understands the emotional impetus behind this bill, it is always our duty to defend the U.S. Constitution and we must therefore oppose this bill.

The proposed bill would amend the Criminal Procedure Article (CP) § 3-112 regarding verdicts of Not Criminally Responsible (NCR) to require people found guilty of First or Second Degree Murder to be committed to a mental health facility for a minimum of ten years. In essence this creates a mandatory minimum term of hospitalization, which is unconstitutional.

Procedure for Not Criminally Responsible Findings

Someone is Not Criminally Responsible for a Crime when they were unable to either control their conduct or understand the criminal nature of the conduct because of a mental illness or intellectual disability. Commitment after an NCR verdict best understood as a two-step process. First, someone must have been found to have committed a crime; this happens either by way of a guilty plea or a trial before a Judge or Jury. Next a Judge or Jury decides whether the person was criminally responsible for the crime. If they are found to be NCR for that crime they are sent to a mental hospital for rehabilitative treatment, in lieu of being incarcerated for retributive punishment, until such time as they are no longer a danger to themselves or others. Unlike a prison sentence there is no mandatory release date. A commitment after an NCR verdict is indefinite, meaning people can *only* be released, or conditionally released, if they can prove by a preponderance of the

evidence that they are no longer a danger to themselves or others as a result of a mental disorder or intellectual disability. CP § 3-114. The indefinite commitment is not dependent on the seriousness of the charge or the potential length of sentence. Someone found guilty of a minor offense, like trespass, can remain hospitalized for the remainder of their lives; as can someone found guilty of murder.

Constitutional Requirements

Where people are committed to mental hospitals “[t]he Due Process Clause requires that the nature and duration of commitment bear some reasonable relation to the purpose for which the individual is committed. The purpose of commitment following an insanity acquittal, like that of civil commitment, is to treat the individual’s mental illness and protect him and society from his potential dangerousness.” *Id* at 362.¹ Committed individuals are entitled to release when they have recovered sanity or are no longer dangerous.

The proposed bill states that individuals *shall* be committed for a specified time period with no option for any form of release and without regard for whether individuals continue to be a danger to themselves or others. IAs *Jones* makes clear, This flies in the face of the Due Process Clauses of United States Constitution.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on Senate Bill 782.

**Submitted by: Maryland Office of the Public Defender, Government Relations Division.
Authored by: Kimber D. Watts, Supervising Attorney Forensic Mental Health Division
Kimberlee.watts@maryland.gov, 410-767-1839**

¹ It should be noted that Maryland uses the term Not Criminally Responsible rather than Not Guilty By Reason of Insanity, and therefore we use the terms NCR Finding rather than Insanity Acquittal.

SB 782 NCR Release Proceedings testimony.pdf

Uploaded by: Luciene Parsley

Position: UNF

DISABILITY RIGHTS MARYLAND
SB 782: Criminal Procedure - Committed Persons - Release Proceedings
Senate Judicial Proceedings Committee

March 4, 2025

POSITION: OPPOSE

Disability Rights Maryland (DRM) is the federally-mandated Protection and Advocacy agency for the State of Maryland, charged with defending and advancing the rights of persons with disabilities. DRM is tasked with monitoring state facilities for persons with disabilities, including the state psychiatric hospitals, to protect against abuse and neglect and ensure the civil rights of its patients are protected. DRM is concerned that SB 782 is unconstitutional, punitive, and violates the rights of individuals with disabilities, and is not reasonably calculated to improve public safety.

Under Maryland law, “[a] defendant is not criminally responsible for criminal conduct if, at the time of that conduct, the defendant, because of a mental disorder or mental retardation, lacks substantial capacity to: (1) appreciate the criminality of that conduct or (2) conform that conduct to the requirements of the law.” Md. Code Ann., Crim. Proc. § 3-109.

Modern jurisprudence on the insanity defense, referred to in Maryland as a verdict of Not Criminally Responsible (NCR), reflects the determination that treatment of those found NCR is not intended to be punitive, but rather intended to protect the public safety and treat the individual’s mental illness. The U.S. Supreme Court agrees. Where a State “may of course imprison convicted criminals for the purposes of deterrence and retribution” subject to constitutional limitations, “the State has no such punitive interest” with respect to persons found NCR. *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992). Even though a finding of NCR results in automatic commitment of the individual for an indefinite period of time, “[t]he purpose of commitment following an insanity acquittal, like that of civil commitment, is to treat the individual’s mental illness and protect him and society from his potential dangerousness.” *Jones v. United States*, 463 U.S. 354, 368 (1983); see also *Bergstein v. State*, 322 Md. 506, 516 (1991) (“The deprivation of liberty involved in the initial hospitalization or in rehospitalization clearly is not imposed as a punishment.”)

Against this backdrop, SB 782 proposes to amend the Criminal Procedure article to require an individual found NCR on first degree murder charges to be committed to a designated health care facility for life; an individual found NCR on second degree murder charges would be required to be committed for a term of at least 10 years. Currently the statute provides that an individual found NCR on any crime is indefinitely committed to a state hospital until the Forensic Review Board and the court determines that the person no longer poses a danger to themselves or the person or property of others.

More importantly, the proposed changes are unconstitutional and if enacted, would undoubtedly be challenged as such. As noted by Justice Brennan in *Jones*, 463 U.S. at 386, “[i]ndefinite commitment without the due process protections adopted in *Addington* and *O’Connor* is not reasonably related to any of the Government’s purported interests in confining insanity acquitees for psychiatric treatment. Due process “requires that the nature and duration of the commitment bear some reasonable relation to the purpose for which the individual is committed.” *Jones*, 463 U.S. at 368. Accordingly, the State may only continue to confine an individual who remains dangerous due to a mental disorder. *Id.* at 370. The Maryland statute embodies this constitutional standard, providing that an individual is eligible for release “if that person would not be a danger...to self or to the person or property of others if discharged” or if “released from confinement with conditions imposed by the Court.” Md. Code Ann., Crim. Pro. §§ 3-114(b),(c).

Individuals found NCR already face significant institutional challenges to discharge. Individuals may have difficulty assessing what their rights to discharge actually are, requesting a release hearing, and convincing their clinical providers that they would not be dangerous if released. Such challenges may (and often do) result in an individual being confined for a far lengthier period of time than the maximum sentence he or she would have received if convicted of the crime. See *Jones*, 463 U.S. at 369 (finding no correlation between the severity of the offense and the length of time necessary for treatment).

Once an individual is released from commitment, Maryland law provides for a defined five-year period of required conditions and monitoring to satisfy the State’s interest in protecting the individual from harm to self, others, or property due to a mental disorder. Md. Code Ann., Crim Pro. § 3-118(c). If, during this five-year period, it is alleged that the individual has violated the terms of the release order and is no longer eligible for release, the State may file an application with the court for revocation or modification of the order. § 3-121. If the court finds probable cause to believe that there has been a violation, a hospital warrant is issued for the individual to transport him or her to a facility designated by the Department. § 3-121(e). If the person is found to have violated their release order, their conditional release may be extended by another five years. Even when the individual has not violated their conditional release order, their conditional release may be renewed or extended based on the recommendations of their community providers, the State’s Attorney, the Court, and interested others.

The overall risk of violence among those discharged from mental institutions is low. A 2015 study followed 1800 individuals in Canada who were released from psychiatric institutions and found the recidivism rate was relatively low at three years --17%. For individuals who had been found NCR for a violent crime, the recidivism rate was even lower. People from the sample were also less likely to reoffend when under the purview of review boards, as they are in Maryland. Yanick Charette, *The National Trajectory Project of Individuals Found Not Criminally Responsible on Account of Mental Disorder in Canada. Part 4: Criminal Recidivism*, Can. J. Psychiatry 2015;60(3):127–134. Available online at <https://pubmed.ncbi.nlm.nih.gov/25886688/>.

The conditions of the typical conditional release order are quite restrictive and touch nearly every aspect of an individual's life. A person subject to an order of conditional release must disclose to his or her therapist any change in residence, employment, activities, marital status or family composition, or physical or mental health, legal issues, out-of-state travel, or any failure to meet clinic or program appointments, and must agree to abide by the therapist's recommendations on the subjects. Appropriate treatment is determined by mental health professionals and the Aftercare Program. The conditional release order requires the individual to receive psychiatric follow-up care "as often as deemed necessary," but initially bi-weekly by the treating psychiatrist and weekly by a therapist, with "any change of therapist, clinic or frequency of appointments" to be approved by the provider and sent to the Aftercare Program. The individual must attend and participate in any program or activity as recommended and arranged by a service provider or the Aftercare program, and must take any medication prescribed. An individual on conditional release waives all confidentiality during the release term – the Aftercare Program is permitted to communicate "with any person, including the mental health therapist/care provider having knowledge of the individual's clinical condition.

The goal of mental health treatment is recovery from mental illness, which is defined by the United States Substance Abuse and Mental Health Services Administration (SAMHSA) as "[a] process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential." See <https://www.samhsa.gov/find-help/recovery>. In light of all the existing protections designed to ensure the public's safety, it is concerning that SB 782 proposes to confine some individuals found NCR to the hospital for life, and others for at least 10 years, even when they are determined not to be dangerous, there are adequate safety measures through the NCR discharge and forensic aftercare process, and there is a low risk of violence from individuals released from hospitals after an NCR verdict. Maryland currently has approximately 180 individuals with mental illness detained in detention centers who have been found Incompetent to Stand Trial (IST) and court-ordered to an MDH facility for treatment and competency restoration. Those individuals are currently languishing in detention centers, in violation of their constitutional rights. By moving individuals who are NCR but have been determined not to be a danger if released to the community, with adequate supports and close monitoring by their providers and the community Aftercare Board, Maryland will be able to make the best use of its resources and transfer those in detention who most need treatment and restoration.

For these reasons, we urge that Senate Bill 782 be given an unfavorable report. Should you have any further questions, please contact Luciene Parsley, Litigation Director at Disability Rights Maryland, at 443-692-2494 or lucienep@disabilityrightsmd.org.

SB782 UNFAV - NAMI.pdf

Uploaded by: Michael Gray

Position: UNF

March 4, 2025

Chair Smith, Vice Chair Waldstreicher, and distinguished members of the Judicial Proceedings Committee,

The National Alliance on Mental Illness (NAMI)-Maryland respectfully requests an unfavorable report on SB782.

NAMI Maryland and our 11 local affiliates across the state represent a network of more than 58,000 families, individuals, community-based organizations, and service providers. NAMI Maryland is a 501(c)(3) non-profit dedicated to providing education, support, and advocacy for people living with mental illnesses, their families, and the wider community.

People with mental health conditions often face criminal charges due in whole or in part to mental illness symptoms. In many cases, they lack the requisite *mens rea* (intent) to commit an offense, even if they have committed the *actus reus* (act of the offense). In the case that their mental health symptoms caused them to commit an otherwise criminal offense, they should not be held to the same level of culpability as criminal justice involved individuals who do not have serious or severe symptoms. Maryland law allows a review of criminal responsibility, that can lead to a commitment procedure and hospitalization of persons who are not responsible under the law but still meet a level of dangerousness that permits the state to detain them in a psychiatric setting.¹ They may then be released after a review process.²

SB782 requires that a person found not criminally responsible for murder, who is committed to a psychiatric setting, not be eligible for release for at least ten years. NAMI Maryland opposed SB782 because every criminal case involving people with mental health conditions, who are not legally responsible due to their psychiatric symptoms, is unique. These are subjective cases and should be weighed based on the medical history and current condition of each justice involved person. We understand that murder is one of the most heinous offenses and that the facts of the original criminal charges must also play a role in the forensic review and release process. Therefore, we urge this committee to give a favorable report on SB43, which would provide structure and transparency to the Forensic Review Board proceedings. But on SB782, we respectfully request an unfavorable report.

¹ Maryland Code, Criminal Procedure §§ 3-109—3-114.

² Maryland Code, Criminal Procedure §§ 3-114—3-115.

sb782.pdf

Uploaded by: Will Vormelker

Position: UNF

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 782
Criminal Procedure – Verdict of Not Criminally Responsible –
Eligibility for Evaluation for Discharge
DATE: February 5, 2025
(3/4)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 782.

The Judiciary understands the intent and purpose of the proposed legislation. However, the Judiciary has constitutional concerns. The bill mandates that an individual who is found not criminally responsible may not be released from commitment for at least ten years for the charges of murder in the first and second degrees. This language creates a penalty after a finding of not criminally responsible. This raises constitutional concerns by detaining individuals who have proven not to be a danger, as a result of the intellectual disability, but will be confined for at least 10 years under this bill.

cc. Hon. Paul Corderman
Judicial Council
Legislative Committee
Kelley O'Connor