



STATE'S ATTORNEY FOR QUEEN ANNE'S COUNTY

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December 7, 2022

Dana Mulhauser, Chief, IID
Office of the Attorney General
200 Saint Paul Place
Baltimore, Maryland 21201-2021

Re: OAG IID Case #22-002

Dear Ms. Mulhauser:

I am writing this letter in reference to the in-custody death incident that occurred on January 21, 2022, at the Maryland State Police Centreville Barrack involving Sgt. Brian Curley, Cpl. Gregory Smith, Trooper First Class Branden Carroll, Trooper First Class Corey Thomas, Trooper Joseph Sheldon and Trooper Brian Maranto all of the Maryland State Police. The investigation of the Independent Investigations Division (the "IID") of the Attorney General's Office was conducted pursuant to Md. Code, State Government Section 6-106.2, which then transmitted the detailed investigative findings of the police-involved death of a civilian, namely Armar Womack, to the Office of the State's Attorney for Queen Anne's County for review to determine whether any of the involved law enforcement officers would be criminally charged for their actions. The investigation focused mainly on the potential criminal culpability of the duty officer, Sgt. Brian Curley, and the assisting duty officer, Cpl. Gregory Smith, but the actions and interactions of all of the aforementioned troopers with the deceased subject, Armar Womack, were reviewed in the IID's investigation. After reviewing the investigation of this unfortunate event I have determined that no further action is necessary regarding any possible criminal wrongdoing on the parts of Sgt. Curley, Cpl. Smith or any of the aforementioned Maryland State troopers. I will explain the reasons for my decision based upon my review of the detailed investigation.

Mr. Armar Womack was arrested by Tfc. Branden Carroll on January 21, 2022, for cocaine possession in Queen Anne's County. Mr. Womack was taken into custody and transported to the Maryland State Police Barrack in Centreville, Maryland.

Tfc. Branden Carroll conducted a secondary search of the person of Mr. Womack but it is apparent that unfortunately Tfc. Carroll missed a small package of cocaine which ultimately was ingested by Mr. Womack and caused his demise. Apparently Mr. Womack surreptitiously hid a small bag of cocaine in his mouth, then discreetly transferred it to his pocket and then ultimately back to his mouth, ingesting the substance. This fact is important because none of the law enforcement officers were aware that Mr. Womack had ingested this CDS while in police custody. Mr. Womack walked into the barrack under his own power and no medical issues were initially apparent. Mr. Womack stood and moved normally. Mr. Womack admitted using both marijuana and cocaine but typically these substances are not responsible for the vast majority of fatal overdoses which result from heroin and fentanyl ingestion.

While in custody Mr. Womack began to experience a series of seizures. Eventually emergency medical services were requested by the duty officers and care was rendered but Mr. Womack succumbed to a fatal overdose. Cpl. Smith did enter the holding cell and observed Mr. Womack, but did not provide any medical assistance. Neither Sgt. Curley nor Cpl. Smith had any medical expertise so they summonsed EMS once they realized Mr. Womack had a serious medical issue. Their medical assistance, or lack thereof, appears to be the result of lack of medical expertise and not criminal intent in my opinion. Also relevant is the fact that the treating physician, Dr. Eric Klotz, declined to state an expert opinion on whether Mr. Womack would have increased his chances of survival if he had received medications sooner. The autopsy report further stated that Mr. Womack died of "Cocaine Intoxication Complicating Hypertensive Cardiovascular Disease." It is impossible for me to conclude to what extent Mr. Womack's hypertensive cardiovascular disease contributed to his death.

Reviewing the report from Sgt. Curley and the video of Mr. Womack provides some inconsistencies in the details reported. However when reviewing this matter for potential criminal prosecution I considered what Sgt. Curley reported- that he was "doing his duty officer stuff." Eventually he noticed Mr. Womack on the floor. Candidly I believe Sgt. Curley's attention was divided by a number of distractions required by the demands of a duty officer and as stated in the investigation several of Mr. Womack's seizures were subtle in nature and if a person's attention was not trained on the monitors they could have been overlooked. Also noted in the report is the fact that in the training provided to troopers they are trained that "seizures are rarely life-threatening." When I consider that the investigation opined that the camera views the troopers were monitoring were possibly too small for the seizures to be visible this, considered in totality with other possible alternative possibilities and theories throughout the investigation, sways me to ultimately decide that this in custody death was a culmination of multiple cumulative oversights which created a medical emergency that none of these troopers expected. Hypothetically the seizures could have been seen and treatment rendered sooner but I do not find the actions of any of the involved troopers rises to the level of criminal negligence.

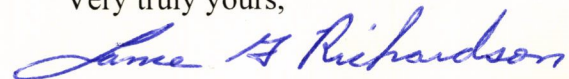
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The investigation of the IID was thorough and objective throughout. There were multiple scenarios considered through each step of the investigation. When considering the officers' reports the IID considered that the reports potentially provided some evidence that the reports were not an honest representation of what they purported concerning the details of the event. However, the IID then provided an alternate possibility that a "factfinder might also determine that the variances were not significant enough to rise to the level required by the statute, or might emphasize the fact that the variances were omissions in the name of brevity rather than mischaracterizations written "with the intent to deceive."

For all of the reasons that I have explained above I cannot find that the actions of any of the aforementioned involved troopers rises to the necessary level of probable cause to pursue any criminal charges and for all of these reasons I am declining to pursue any criminal charges against any of the Maryland State Police troopers who were involved in this very unfortunate event.

If you have any questions or concerns please do not hesitate to contact me.

Very truly yours,



Lance G. Richardson
State's Attorney for
Queen Anne's County