

FEATURED TOP STORY BREAKING

Wintergreen police officer shot, killed responding to assault incident; suspect in custody

Justin Faulconer

Jun 17, 2023

A Wintergreen Police Department officer was killed Friday in an incident involving three other injured men, including a suspect involved in the shooting, according to a Virginia State Police news release.

The incident began after 10 p.m. Friday when an emergency call came into the Nelson County resort community's police department about an man having assaulted two other men at a residence on Arrowood Lane, the release said. After calling police, the two injured men fled the residence on foot, according to police.

Those two individuals are being treated the University of Virginia Medical Center for non-life threatening injuries, police said. "At this stage of the investigation, it appears the first Wintergreen Police Officer to arrive at the residence located the adult male suspect in the nearby woods and a struggle ensued," the release said. "During the course of the struggle, the officer was shot and died at the scene."

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The male suspect, who police did not immediately identify in the release, was taken into custody without further incident by Wintergreen police and the Nelson County Sheriff's Office. The suspect suffered a non-life threatening injury and was taken to the UVa Medical Center for treatment, the release said.

Wintergreen Police Chief Dennis Russell requested the Virginia State Police Bureau of Criminal Investigation's Appomattox Field Office to investigate the fatal shooting.

The officer's department-issued firearm was recovered at the scene in the woods and the investigation remains ongoing, the release said.

A post from the Wintergreen Police Department's official Facebook page identified the slain officer was Mark Christopher Wagner II. The department's page described Wagner as a dedicated officer who served the Wintergreen community with honor and answered his final call by laying down his life for the people he swore to protect and serve.

Wagner, 31, was a 2010 graduate of Spotswood High School and lived in Stuarts Draft. "Chris is survived by his immediate family and the men and women who were his Wintergreen Police family," the department's post said.

Wagner started his career at Wintergreen in August 2020 and previously served with the Massanutten Police Department, according to the Wintergreen department. He graduated from the Central Shenandoah Criminal Justice Academy in May 2019 and was tasked with working the midnight shift, the department's post said.

"Whenever you saw Chris in the daylight, he wore dark sunglasses, and would crack a smile or two," the department's post said. "Chris was dedicated to his job and whenever called for extra duty he was ready, willing and able. His love for the badge was evident and his commitment to the community was undeniable."

An avid outdoorsman, Wagner spent much personal time hiking and photographing nature, according to the department.

“Chris is remembered for always going out of his way to cheer others up and his infectious laugh was loud and echoed throughout the office,” the department’s post said.

Wagner was the agency’s TASER and BolaWrap instructor, the post said. His father, holding back tearful emotions, remarked he was like Batman and was reminded of recently gifting his son a Batarang, a throwing weapon used by the DC Comics Superhero character, to go with all the tools he carried on his belt, according to the post.

“Chris Wagner, Wintergreen Police Officer ID#15, was and always will be a hero,” the department wrote.

The Virginia Association of Chiefs of Police recommends all Virginia law enforcement officers shroud their badges in Wagner’s honor the day of funeral services, according to a post the department’s Facebook page.

“The VACP expresses our sincerest condolences to Chief Dennis Russell and the Wintergreen Police Department and the family and friends [of] Officer Wagner,” the post said. “Our prayers are with them at this most difficult time.”

A fund has been set up in Wagner’s memory: in interested in giving the link is is: **<https://fundthefirst.com/campaign/fallen-officer-mark-christopher-chris-wagner-ii-wintergreen-police-department-va-h3a9oi>**.

Nelson County Board of Supervisors Chair Jesse Rutherford, on his personal Facebook page Saturday, joined multiple law enforcement agencies across the state in addressing Wagner’s death in the line of duty.

“Today is a sad day for Nelson County,” Rutherford wrote. “Please be in prayer for our Wintergreen Police and law enforcement community.”



Wagner

Justin Faulconer, (434) 385-5551

jfaulconer@newsadvance.com

By Justin Faulconer

TOP STORY BREAKING

Charges updated against Maryland man accused of murder in Wintergreen officer's death

Justin Faulconer

Jun 20, 2023

A Maryland man accused of murder in connection with a Wintergreen police officer's shooting death June 16 is facing updated charges, according to online court records.

Virginia State Police said Daniel M. Barmak, of Towson, Maryland, is charged with one count each of capital murder and use of a firearm in commission of a felony in connection with the shooting death of officer Mark Christopher "Chris" Wagner II. He also faces two counts of malicious wounding.

Nelson General District Court records as of Tuesday afternoon show Barmak, 23, is charged with aggravated murder of a law enforcement officer and one count each of use of a firearm in commission of a felony, malicious wounding and possession of a Schedule I/Schedule II drug.

Barmak's preliminary hearing is scheduled for Oct. 4 in Nelson General District Court.

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The incident began shortly after 10 p.m. June 16 when an emergency call came into the Wintergreen Police Department about two people being assaulted at the residence they were all staying at on Arrowood Lane in the Wintergreen community of Nelson County, a news release from state police said.

After calling police, the two injured men fled the residence on foot. The two 23-year-old men were both taken to the University of Virginia Medical Center in Charlottesville for treatment of non-life-threatening injuries, the release said.

Wagner, 31, was the first law enforcement officer to arrive at the residence. He encountered Barmak in the woods and a struggle ensued, the release said.

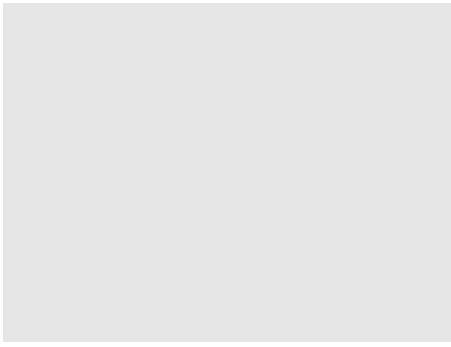
“During the course of the struggle over Wagner’s department-issued handgun, Barmak shot and killed the officer,” the release said. “Barmak was also shot during the encounter.”

Wintergreen police and the Nelson County Sheriff’s Office took Barmak into custody without further incident. Barmak was taken to UVA Medical Center for treatment of a non-life-threatening injury sustained during the incident, the release said.

“Inside the residence, state police recovered illegal narcotics,” the release said. “Wagner’s department-issued handgun was recovered at the shooting scene in the woods.”

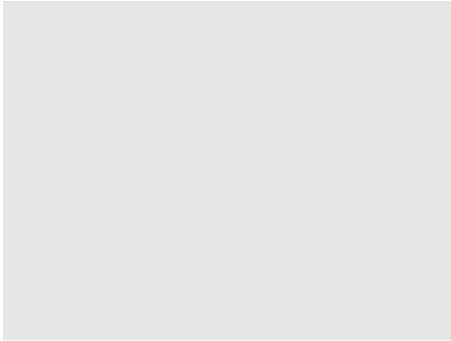
Barmak is being held at the Albemarle-Charlottesville Regional Jail. He is represented by attorney Doug Ramseur, online court records show.

Funeral arrangements have been finalized for Wagner. Visitation is 10 a.m. to noon Monday, June 26, at Augusta Expo Event Center, 277 Expo Road, Fishersville. The funeral service is at noon. Visitation and the service are open to the public.



Barmak

Justin Faulconer



Wagner

Justin Faulconer, (434) 385-5551

jfaulconer@newsadvance.com

Clarification

The article has been updated to include the name of Doug Ramseur, the attorney representing Barmak, according to updated court records.

By Justin Faulconer

ALERT FEATURED TOP STORY

nelson county | wintergreen

"Support our own:" Nelson, state officials look to extend line of duty benefits to families of private officers

Emma_Martin

Jun 22, 2023

In Virginia, an officer with a private police department must meet all of the same training requirements as other state law enforcement officers. But if that private police officer is killed in the line of duty, their family is not eligible for the same benefits.

In light of Wintergreen Police Officer Mark Christopher "Chris" Wagner II's death in a shooting June 16, Nelson County officials and state legislators are looking to change that statute.

Wagner, 31, was the first law enforcement officer to respond to a residence on Arrowhead Lane in the Wintergreen community of Nelson County on Friday, after an emergency call came to the Wintergreen Police Department about two people being assaulted. Wagner encountered Maryland man Daniel M. Barmak in the woods and a struggle ensued over Wagner's department-issued handgun, according to Virginia State Police.



Wagner

Wagner was shot and killed, and Barmak also suffered gunshot wounds, state police reported.

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Barmak, 23, currently is charged with one count each of aggravated murder of a law enforcement officer, use of a firearm in commission of a felony, drug possession and malicious wounding. His preliminary hearing is scheduled for Oct. 4 in Nelson General District Court.

Area police departments quickly responded with public support for Wagner, his family and the Wintergreen Police Department. Virginia State Police joined Wintergreen Fire and Rescue and Nelson County Sheriff's Department personnel on Tuesday to pay homage to Officer Wagner along an overpass over Interstate 64 in Afton, as state police vehicles transported his body home to Stuart's Draft along the interstate. Photos on the sheriff's department's Facebook page show law enforcement personnel saluting along the overpass next to an American flag hung from a Wintergreen Fire and Rescue fire truck's ladder.

In a phone interview Wednesday, Nelson County Sheriff David Hill said in addition to his units, other police and sheriff's departments along the escort's route from Richmond to Stuart's Draft honored Wagner from overpasses along I-64.

"It's heartbreaking of course and it's one of the things we don't want to think about. It could easily be anyone at any point in time," Hill said.

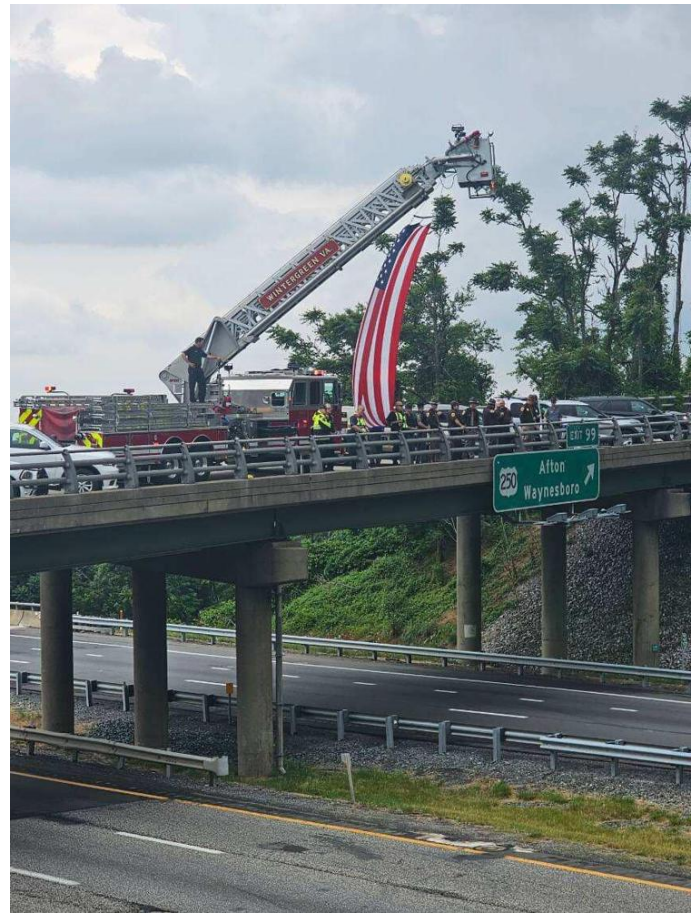
“He took an oath and he responded to those that were in need, so this speaks volumes of his character and integrity.”

Wintergreen Fire and Rescue posted to its public Facebook page Sunday, “The support shown for the public safety team at Wintergreen over the past 24 hours has been overwhelming.”

“It is very important that we support Officer Wagner’s family. Sadly, Wintergreen Police Officers don’t have the same benefits as public police officers. They’re required to complete the same academy, have the same authority, and do the same jobs, however, due to antiquated laws, they don’t have the same benefits.”

According to Virginia Code, a private officer is not entitled to benefits under the Line of Duty Act or under the Virginia Retirement System and is not a “qualified law enforcement officer” within the meaning of the federal Law Enforcement Safety Act. According to the Virginia Department of Criminal Justice, there are 42 private law enforcement agencies in the state.

The Virginia Association of Chiefs of Police and Wintergreen Police Chief Dennis Russell organized a public fundraiser for Wagner’s family that as of Wednesday afternoon had raised \$92,000. Local representatives intend to go further, though.



Local law enforcement personnel saluted slain Wintergreen Police Officer Chris Wagner as his body was transported along I-64 by state police June 20.
photo courtesy of Nelson County Sheriff’s Office

Chair of the Nelson County Board of Supervisors Jesse Rutherford said in a phone interview Wednesday he and West District Supervisor David Parr met with the Wintergreen Police Department on Sunday, and are working on a resolution to honor Wagner and endorse legislation to extend the line of duty benefits.

“Chris was a breadwinner for his family, is my understanding,” Rutherford said.

He thinks the families of deceased private officers deserve the same benefits as state officers, and wants the legislation change to also extend to animal control officers.

“Unfortunately, this is how we learned about it,” Rutherford said of the issue, adding as a county, Nelson wants to “support our own.”

Parr explained his stance on expanding the Line of Duty Act benefits in a statement.

“[Private Police Departments and Animal Control Officers] are not only integral parts of our overall public safety program in Nelson; they are essential components of public welfare in localities statewide. They protect and serve our citizens, putting their lives on the line every day, just as other covered positions do; and they should be afforded the same benefits.”

Rutherford reached out to and found support in the Virginia Senate and House of Delegates with Sen. Mark Peake, R-Lynchburg, and Del. Ellen Campbell, R-Rockbridge.



Wintergreen Fire and Rescue took to Facebook June 18 thanking the community for its support in light of Officer Chris Wagner's death.

Photo courtesy of Wintergreen Fire and Rescue

Interviewed by phone Tuesday, Sen. Peake said he intends to sponsor a bill to change the code concerning private police officer's line of duty benefits and plans on being the chief patron in the state Senate.

Peake said localities may protest about the cost, but that private police officers "put their lives on the line just like any other officer," and if an officer is killed in the line of duty "their families shouldn't suffer."

According to the Virginia Line of Duty Act, the one-time payment for the surviving spouse and dependents of an officer killed in the line of duty is \$100,000.

In an emailed statement, Del. Campbell said “... I believe we have an obligation to take care of a fallen officer’s family. Public or private, officers like Chris Wagner are out in the community every single day putting their lives on the line to keep us safe.”

“The least we can do to thank them for their ultimate sacrifice is to make sure their families are eligible for line of duty benefits. I hope another family never has to experience what Officer Wagner’s family is experiencing right now, but if they do, I hope we will be able to take away one source of stress.”



An Amherst County official also expressed support for Nelson supervisors’ planned resolution. Amherst Board of Supervisors member Claudia Tucker asked the board during a meeting Tuesday to formally take up a stance on the matter in July.

“It would equal the playing field between those private officers and officers who serve our localities,” Tucker said. “Amherst County would have a dog in that fight because we have Sweet Briar [College] here. And so we would be in the same situation.”

Emma Martin, (434) 385-5556

emartin@newsadvance.com

By Emma_Martin

ALERT TOP STORY

Wintergreen shooting

Congressman Good honors slain Wintergreen officer

Emma Martin

Jun 24, 2023

U.S. Rep. Bob Good, R-5th, joined the throng of community voices honoring Officer Mark Christopher "Chris" Wagner II on Tuesday, taking a minute to acknowledge the slain Wintergreen police officer on the House floor at the U.S. Capitol in Washington, D.C.

“Mr. Speaker, I rise today to mourn the tragic loss of Wintergreen Police Officer Mark Christopher Wagner II and to honor the legacy that he has left behind,” Good said from the floor, in a video posted on his Twitter feed Thursday.

Wagner, 31, was the first law enforcement officer to respond to a residence on Arrowhead Lane in the Wintergreen community of Nelson County on June 16, after the Wintergreen Police Department received an emergency call that two people had been assaulted.

Wagner encountered Maryland man Daniel M. Barmak in the woods and a struggle ensued over Wagner’s department-issued handgun, according to Virginia State Police.

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Warner was shot and killed, and Barmak also suffered gunshot wounds, state police reported.

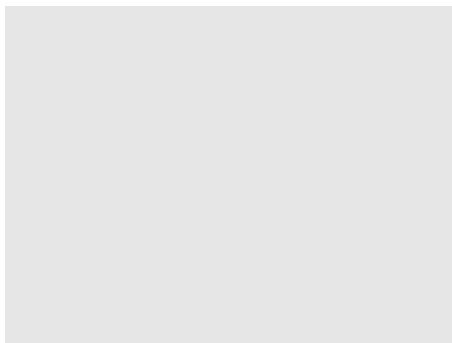
Barmak, 23, currently faces one count each of aggravated murder of a law enforcement officer, use of a firearm in commission of a felony, drug possession and malicious wounding in Nelson County court.

“...[He] bravely ran into harm’s way as these officers do every day to apprehend the suspect who would fatally attack him. My prayers are with the family, friends and loved ones of Officer Wagner as they grieve the loss of his life and begin to process life in his absence,” Good said.

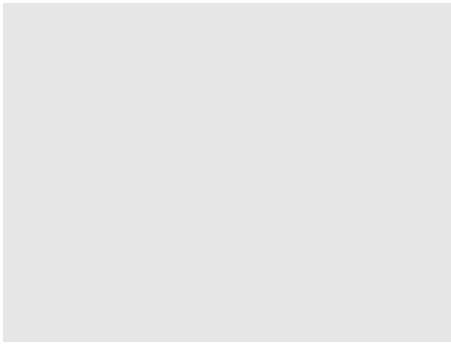
He quoted Psalm 34: “The Lord is close to the broken hearted” and commended Wagner for his bravery and commitment to protecting the Wintergreen community.

“He was an exceptional example of sacrificial service, giving his life to secure and defend the lives of others. I’m humbled to recognize the valor of Officer Wagner and the courage and dedication he demonstrated in the community. May God bless his family.”

A public fundraiser for Wagner’s family has raised \$105,935 as of June 23.



Wagner



McGuire

Emma Martin, (434) 385-5556

emartin@newsadvance.com

By Emma_Martin

https://newsadvance.com/news/community/nelson-county-times/a-hero-answers-that-call-hundreds-of-law-enforcement-gov-youngkin-honor-officer-wagner/article_a7fe1c90-1467-11ee-af14-53bce286b038.html

ALERT FEATURED TOP STORY

"A hero answers that call;" Hundreds of law enforcement, Gov. Youngkin honor Officer Wagner

Emma_Martin

Jun 26, 2023



Celebration of life for Wintergreen Police Officer Mark Christopher "Chris" Wagner II at the Augusta Expo Event Center. Paige Dingler, Nelson County Times

Emma_Martin



Speakers remembered Wintergreen Police Officer Mark Christopher "Chris" Wagner II as someone who volunteered for the toughest job and was proud to do it. A crowd of about 500 attended Wagner's funeral service in Fishersville on Monday — some 400 of those paying respects in uniform — from police, sheriff's and fire and rescue departments across the state, and from as far as West Virginia.

A devoted son who loved his family and community.

A soft-spoken, selfless person who was fun to be around and share a laugh with.

A reader, a nature lover and a talented photographer.

Speakers remembered Wintergreen Police Officer Mark Christopher "Chris" Wagner II as someone who volunteered for the toughest job and was proud to do it.

A crowd of about 500 people attended Wagner's funeral service in Fishersville on Monday — some 400 of those paying respects in uniform — from police, sheriff's and fire and rescue departments across the state, and from as far as West Virginia.

Wagner, 31, was the first law enforcement officer to respond to a residence in the Wintergreen community of Nelson County on June 16, after the Wintergreen Police Department received an emergency call that two people had been assaulted. Wagner

followed a suspect into the woods, where a struggle ensued over Wagner's department-issued handgun, the Virginia state police said. Wagner was shot and killed.

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Daniel M. Barmak, 23, of Towson, Maryland, was arrested and charged with four felony charges, including aggravated murder of a law enforcement officer, in Nelson County court.

“Chris could have easily waited for back-up,” Wintergreen Police Chief Dennis Russell said. “He fought the good fight.”

Wintergreen Police Chief Dennis Russell said looking at the room full of law enforcement personnel made him remember how “thick and strong” the thin blue line is and that it was “humbling” seeing so many Wintergreen community members present.

He told the crowd Wagner asked for the midnight shift, which Russell said is one of the most difficult to fill. If he had to report for a day shift, you'd find Wagner in “the darkest tinted sunglasses imaginable.” Russell said he often joked with Wagner about being a vampire and hating daylight, which made Wagner smile.

“No one can ever plan for something like this to happen, but I learned that Chris and his father had talked about the possibilities,” he said.

Wagner's father, Mark Wagner, said his son was "exceedingly proud" to be part of his "family in blue."

He also said his son would have been "shocked" at the support of the community and the ceremony in his honor.

Chris Wagner joined the Wintergreen Police Department, a private agency of only 17 personnel, in August 2020. Before, he served with the Massanutten Police Department for seven years and attended Central Shenandoah Criminal Justice Academy.

Russell and Mark Wagner were joined by Virginia Lt. Gov. Winsome Sears and Gov. Glenn Youngkin onstage at the Augusta Expo Center.

"So what we've heard this morning is that Chris was a light. He was a bright light. Son to a loving father, who's life was taken far too soon. Every corner of the Commonwealth, fellow brothers and sisters in law enforcement have come here knowing that it could have been them who we were memorializing today," Youngkin said.

"All of you wear the badge with pride. You engage fully with your communities, you sacrifice your own comfort and peace of mind so that our families and our communities don't have to. You extend a helping hand to everyone who's in need."

Youngkin continued, "He was a great police officer by any standard. I spoke to the chief last week and it was the first thing he told me. He was a great police officer."

Mark Wagner called him "a great son."

The governor called him a hero.

"See a hero answers that call. A hero may seem ordinary but does extraordinary things. A hero — a son, a daughter, a father, a mother, a sister or brother — loves their community. A hero loves the world deeply in a way that we can all feel. It's palpable.

A hero works the night shift, when everyone else's asleep. A hero demonstrates the greatest love of all, the willingness to lay down one's life for a friend."

Emma Martin, (434) 385-5556

emartin@newsadvance.com

By Emma_Martin

ALERT TOP STORY

Resolution honors slain Wintergreen Officer Wagner's 'ultimate sacrifice'

Emma_Martin

Jul 16, 2023



Celebration of life for Wintergreen Police Officer Mark Christopher "Chris" Wagner II at the Augusta Expo Event Center. Paige Dingler, Nelson County Times

Emma_Martin

The Nelson County Board of Supervisors made good on a promise to seek changes for the families of private officers killed in the line of duty, unanimously passing a resolution July 11 to recognize slain Wintergreen Police

Officer Mark Christopher “Chris” Wagner II and request amendments.

Wagner was killed June 16 while responding to a call about an assault within the Wintergreen community. Per Virginia code, Wagner’s service to a private police department does not qualify his family for the one-time \$100,000 payment awarded to the surviving spouse and dependents of a public officer killed in the line of duty.

A fundraiser organized by the Virginia Association of Chiefs of Police and Wintergreen Police Chief Dennis Russell has raised \$120,030 for Wagner’s family as of July 13.

The resolution supervisors approved during the meeting honors Wagner and requests an amendment to the Line of Duty Act, which entitles state officers’ beneficiaries to the payment “in gratitude for and in recognition of his [the officer’s] sacrifice on behalf of the people of the Commonwealth,” but excludes private police officers.

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Supervisors’ resolution calls upon the General Assembly to amend the Code of Virginia to afford private police officers the benefits available under the Line of Duty Act, and will be delivered to Nelson’s representatives in the General Assembly.

“We recently lost one of our own in Nelson County in the line of duty, Mr. Chris Wagner. He was serving up in Wintergreen and of course in the line of duty he lost his life. As a result, we, as a board, want to honor him and his service to this community. It is also important that we as a locality look to see how we can improve situations that arise ...” Board Chair Jesse Rutherford said.

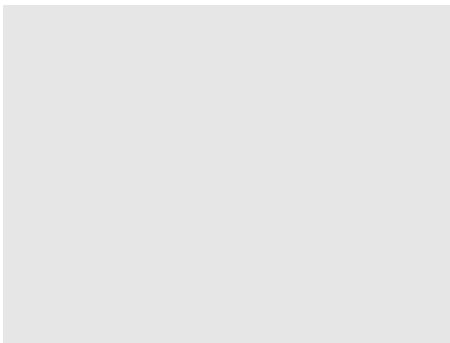
“I have spoken to Sen. Mark Peake as well as Del. Ellen Campbell and they’re working together with their respective majority heads ... to accomplish the proper legislation to see that this is changed,” he added, calling the resolution a “no-brainer.”

“... Officer Wagner joined the Wintergreen Police Department in August of 2020 and diligently served the Wintergreen Community with honor and commitment ...”

Supervisor Ernie Reed read.

The resolution acknowledges private police officers’ responsibility for the prevention and detection of crime and the enforcement of penal laws, and their exposure to the same risks of injury or death as other officers employed by Virginia police departments and sheriff’s offices.

“Now therefore, be it resolved, the Nelson County Board of Supervisors hereby honors Officer Mark Christopher Wagner II of Wintergreen Police Department for his heroism and honorable service to the citizens of Wintergreen and the County, for whom he made the ultimate sacrifice ...” Reed read.



Wagner

Emma Martin, (434) 385-5556

emartin@newsadvance.com

By Emma_Martin

ALERT TOP STORY

Amherst board OKs resolution of support to extend Line of Duty benefits to private officers

Justin Faulconer

Aug 3, 2023



An officer salutes during the celebration of life for Wintergreen Police officer Mark Christopher "Chris" Wagner II at the Augusta Expo Event Center in Fisherville on June 25. Daniel Barmak, the Maryland man accused of killing Wagner, is scheduled for a preliminary hearing Jan. 17 in Nelson General District Court.

Paige Dingle, The News & Advance file

Justin Faulconer



AMHERST — In solidarity with Nelson County and a growing number of localities in honoring the memory of slain Wintergreen police officer Mark "Chris" Wagner II, the Amherst County Board of Supervisors approved a resolution Tuesday requesting the Line of Duty Act be amended to allow private officers to receive benefits under the legislation.

Wagner, who joined the Wintergreen Police Department in August 2020, was killed in the line of duty on June 16 while responding to an assault incident. The state's Line of Duty Act currently excludes private police officers from benefits, which spurred Nelson County officials to seek the amendment many localities' governing boards are supporting.

Nelson County Board of Supervisors Chair Jesse Rutherford addressed the Amherst board during its meeting Tuesday. Nelson County Supervisor David Parr, Wintergreen Police Chief Dennis Russell and Sen. Mark Peake, R-Lynchburg, attended the meeting in support of the resolution.

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Rutherford said similar resolutions as of Aug. 1 have passed in Montgomery, Augusta, Greene, Madison and Nelson counties, and is on the agenda for other localities' governing bodies.

"There could be more and we're finding out more as we go," Rutherford said.

Rutherford described Wagner as "one of our own" and the breadwinner of his family.

"It's an unfortunate reality," Rutherford said. "These particular circumstances reveal spots in society that we've got to fill."

Wagner's family and others in similar situations are faced with the conversation of how to pay the mortgage and other pressing financial needs, Rutherford said.

"It shouldn't be one," he said of such conversations. "That's something we realize in Nelson County that, this is a gap there."

Fundraising and community support efforts are bridging the gap for the Wagner family, he said.

"However, we want to make sure that that discussion isn't needed," Rutherford said. "Line of duty benefits is a critical aspect for our law enforcement so that when they serve, that if they do pass away, they know their families back home are taken care of."

Rutherford said if a Wintergreen officer and deputy with the Nelson County Sheriff's Office responds to the same incident and both are tragically killed under the current state legislations, the Line of Duty benefit would go to one and not the other.

"There's a lot of details to be figured out ... currently we do know this: that not having an option is not an option," Rutherford said.

He said Amherst County is "family" with neighboring Nelson County in sharing similar culture, residential areas and businesses, adding seeking the county's support was a no-brainer.

Peake has agreed to help carry the proposed amendment forward on the Senate side.

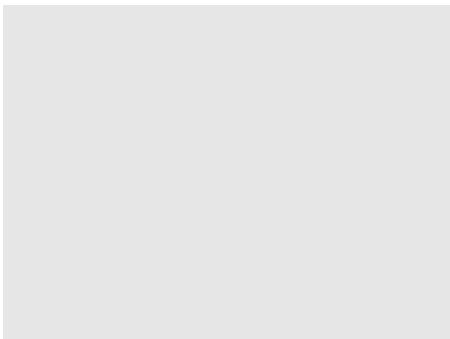
"We're hoping to get this through pretty expeditiously but we need the support of localities just putting ink on paper saying to move forward," Rutherford said.

The resolution honors Wagner for "his heroism and honorable service to the citizens of Wintergreen" and Nelson County "for whom he made the ultimate sacrifice." Tom Martin, the Amherst board's chair, said Amherst County joined Nelson County in mourning the late officer.

"That hit very close to home for all of us; when your community hurts — our does also," Martin said.

Peake thanked the board for supporting the effort and said all law enforcement officer put their lives on the line for their communities.

"We're going to do everything we can to look out for the officers," Peake said.



Wagner

Justin Faulconer, (434) 473-2607

jfaulconer@newsadvance.com

By Justin Faulconer

https://newsadvance.com/news/community/nelson-county-times/warrant-suspect-was-naked-showed-highly-unusual-behavior-before-killing-wintergreen-officer/article_23ff8a06-63ad-11ee-ba87-67b760812a73.html

ALERT TOP STORY

nelson county

Warrant: Suspect was naked, showed 'highly unusual' behavior before killing Wintergreen officer

Justin Faulconer

Oct 6, 2023



Speakers remembered Wintergreen Police Officer Mark Christopher "Chris" Wagner II as someone who volunteered for the toughest job and was proud to do it. A crowd of about 500 attended Wagner's funeral service in Fishersville on Monday — some 400 of those paying respects in uniform — from police, sheriff's and fire and rescue departments across the state, and from as far as West Virginia.

A Maryland man facing an aggravated murder charge in connection with the June 16 shooting death of a Wintergreen police officer in Nelson County was naked during the attack and earlier was actively trying to kill himself, according to a search warrant filed in Albemarle County Circuit Court.

Daniel Barmak, of Towson, Maryland, is charged with aggravated murder of a law enforcement officer and one count each of use of a firearm in commission of a felony, malicious wounding and possession of a Schedule I/Schedule II drug. The charges stem from the killing of Wintergreen Police Department officer Mark Christopher “Chris” Wagner. The incident began shortly after 10 p.m. June 16 when an emergency call came into the Wintergreen Police Department about two people being assaulted at the residence they were all staying at on Arrowood Lane in the Wintergreen community of Nelson County, a news release from Virginia State Police said.

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After calling police, the two injured men fled the residence on foot. The two 23-year-old men were taken to the University of Virginia Medical Center in Charlottesville for treatment of non-life-threatening injuries, the release said. Wagner, 31, the first law enforcement officer to arrive at the residence, encountered Barmak in the woods and a struggle ensued, the release said.

During the course of the struggle over Wagner’s department-issued handgun Barmak shot and killed Wagner, state police said.

A preliminary hearing for Barmak, who was 23 at the time of his arrest, was set for Wednesday but has been continued to Jan. 17 in Nelson General District Court, according to court records.

According to a search warrant filed in late August in Albemarle County, a state police special agent wrote Barmak has been behaving in a “highly unusual” manner and two witnesses reported to investigators Barmak “was actively attempting to kill himself as well as other persons.” Both witnesses stated Barmak “wanted to jump off the balcony.”

Body camera images from Wagner’s own camera depict Barmak, who was naked, initiating an attack on the officer, the warrant states. During the altercation between the two, a gunshot was heard, Wagner yelled, “He’s trying to get my gun!” and the officer yelled for help numerous times, the warrant document states.

Additional body camera footage from other officers shows Barmak eating gravel, the warrant states. The special agent who filed the warrant wrote based on training and experience, Barmak’s behavior was recognized as that of someone suffering from a mental health crisis or under the effects of intoxication and/or drug impairment.

“Illicit drugs, to include psychedelic mushrooms, were found in proximity to Barmak’s area of control,” the warrant affidavit’s accompanying document states. The two witnesses and Barmak had consumed alcohol, marijuana and psychedelic mushrooms prior to the shooting, and the two stated Barmak used a white powdery substance that the defendant identified as Ketamine.

The warrant states as of its filing in late August the special agent did not have results of any toxicology tests conducted on Barmak, who was shot during the incident with Wagner. Based on medical records obtained at the University of Virginia Medical Center, Barmak was shot in the leg and shrapnel from a bullet was removed by hospital staff and released to the university’s police department, the warrant states.

Wintergreen police and the Nelson County Sheriff’s Office took Barmak into custody without further incident. Barmak was taken to UVA Medical Center for treatment of a non-life-threatening injury sustained during the incident, the release said.

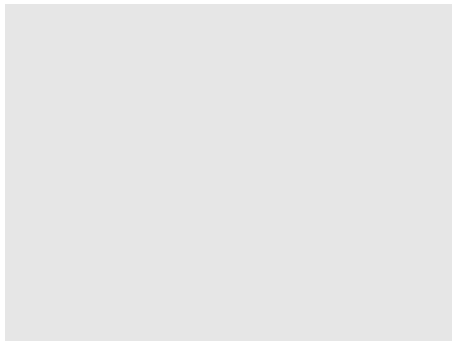
Wagner’s department-issued handgun was recovered at the shooting scene in the woods, police have said.

Wagner joined the Wintergreen Police Department, a private agency of only 17 personnel, in August 2020. Before, he served with the Massanutten Police Department for seven years and attended Central Shenandoah Criminal Justice Academy.

A crowd of about 500 people attended his funeral service in Fishersville on June 26 — some 400 of those paying respects in uniform — from police, sheriff's and fire and rescue departments across the state, and from as far as West Virginia. Gov. Glenn Youngkin and Lt. Gov. Winsome Earle-Sears also were in attendance.

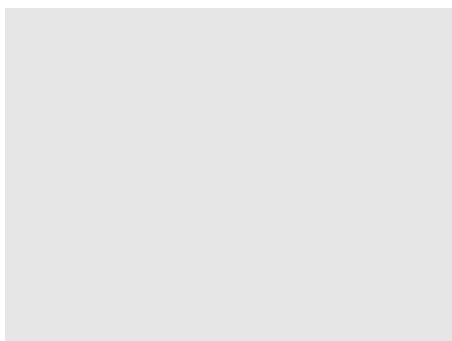
“Chris could have easily waited for back-up,” Wintergreen Police Chief Dennis Russell said at the slain officer’s funeral. “He fought the good fight.”

The Nelson County Board of Supervisors and numerous other localities’ governing bodies, including Amherst County's board of supervisors, have backed a resolution pushing to have line of duty death benefits legislation extended to include privately employed police officers. That legislation will be taken up in the Virginia General Assembly’s session in January.



Barmak

Justin Faulconer



Wagner

Justin Falconer, (434) 473-2607

jfalconer@newsadvance.com

The (Charlottesville) Daily Progress contributed to this report.

By Justin Falconer

https://newsadvance.com/news/this-is-a-big-deal-legislation-to-amend-line-of-duty-act-to-go-before/article_eba98644-9a06-11ee-94bd-2fb99851c3b1.html

ALERT TOP STORY

"This is a big deal;" Legislation to amend Line of Duty Act to go before General Assembly

Rodney Robinson

Dec 14, 2023



Chris Wagner's patrol car at the Nelson County Courthouse on Wednesday, Dec. 13, 2023.

Paige Dingler, The New Era-Progress

Rodney Robinson



A press conference was held in Lovingson Dec. 13 to announce plans for a Line of Duty Act amendment for the upcoming General Assembly.

June 16 is a day the Wintergreen community won't soon forget.

On that day, Wintergreen Police Office Mark Christopher "Chris" Wagner II was killed while responding to a call about an assault within the Wintergreen community.

Under the Virginia Line of Duty Act, family members of public safety officers who were killed or permanently disabled in the line of duty are usually eligible to receive death and lifetime health insurance benefits.

However, for officers in the private sector, that is not the case.

At the Nelson County Courthouse on Tuesday afternoon, a news conference was held to announce the potential amendment to go before the General Assembly during the next session, which begins Jan. 10.

Officers from the Wintergreen Police Department, Wintergreen EMS Fire and Rescue, local legislatures and members of the Nelson County Board of Supervisors were all in attendance to support the proposed amendment.

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Jesse Rutherford, chair of the Nelson County Board of Supervisors, told reporters Tuesday that the goal of this news conference is “very simple.”

“We want to see that any family that has a loved one die in the line of duty, even if they’re a private police department member, does not have to figure out where the mortgage is gonna be coming from next week,” he said.

Rutherford and Vice Chair David Parr reached out to Wintergreen Police Chief Dennis Russell after the news in June to see how the board could be of assistance.

Rutherford said Russell mentioned at the time the “unfortunate reality” of police officers in the private sector not receiving the same benefits as those on the government side.

“This is a big deal,” Rutherford told reporters. “This kind of hit us a little bit differently because you’re sitting there and you’re thinking to yourself, ‘wow, you can be a person serving the people protecting the people, and you do not necessarily have an equitable opportunity.’ So we decided that something needed to change.”

Russell said no one wants to get the message that a loved one has been killed in the line of duty and to have those families try to figure out how “to make a mortgage payment or to make a car payment” because a loved one is in the private sector and doesn’t receive benefits, is difficult.

The chief said there are 8 private police departments around the state.

“We hope that by moving this forward, that will give the families a little bit of hope,” Russell said.

Caleb Marden, firefighter medic for Wintergreen Fire & Rescue, was on the scene the night Wagner died; and he told reporters that with the limited resources of the sheriff’s office, they rely “a great deal” on private agencies, such as the Wintergreen Police Department.

Marden said it’s important for those individuals to have access to the same benefits.

“Especially in his [Wagner] position where he was the main source of income for his family,” he said.

In an attempt to garner support, Rutherford said the board reached out to delegates and senators across the commonwealth for more information.

The supervisors went on **to draft a resolution July 11**, to honor Wagner and request an amendment to the Line of Duty Act.

Rutherford said 13 localities got behind this resolution: the counties of Amherst, Albemarle, Augusta, Charlotte, Green, Madison, Montgomery, Appomattox, Campbell, Franklin, Fluvanna and Augusta, and the city of Stanton.

The initial resolution has now grown into a legislation to go before the General Assembly in its upcoming session.

Del. Ellen Campbell, R-24th, will be the chief patron of the bill on the House side during the upcoming session.

Campbell said this legislation is important because individuals in private police departments get up everyday, put on the same uniforms, with the same training, and go out risking their lives.

“It should not matter that they’re private or if they’re a state entity, this is the right thing to do. I’m proud to be able to pay for this legislation,” Campbell said.

Campbell, whose husband is a state trooper, said she was motivated to get behind the bill because of her empathy for families who have undergone such a loss.

The delegate said she doesn’t think they will face a lot of challenges in getting the bill passed.

“I’m passionate about it because of the damage that it can do to the families,” she said.

Sen. Mark Obenshain, R-26th, will lead the bill on the Senate side with the assistance of Sen. Mark Peake, R-8th.

Peake told The News & Advance the two tragedies — Wagner’s death and the killings of two officers at Bridgewater College last year — played a role in him getting behind the bill.

“This is just something that we need to do, to look out for these families of these people who put their lives on the line every day,” Peake said.

The bill is in the draft phase, Campbell explained.

Once out of the draft phase, it will be assigned to the Senate Public Safety Committee, receive a bill number and the public can track it at <https://lis.virginia.gov/>.

Russell said Wagner’s death has been a nightmare.

The chief said, “we all loved him.”

“We’re all close. When one person has an issue, we all have an issue and this kind of rocked us to our core to lose one of our own,” he said, adding that seeing his car before the news conference “brought back that emotion.”

Rutherford ended the news conference by asking for support from Virginians.

“We need you to call your legislators and we’re also asking that you continue to ask [legislators] to pass these resolutions. This keeps the fire going,” he added.

Rodney Robinson Jr., (434) 385-5554

rrobinson@newsadvance.com

By Rodney Robinson
