

Passenger in cop shooting pleads not guilty to weapons charges

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BELVIDERE — Damon Mammaro of Asbury entered a plea of not guilty to four weapons charges during his first court appearance at Warren County court house on Thursday, June 5.

Mammaro, 23, was the passenger in a vehicle stopped during the early morning hours of May 30 in which Washington Township Ptl. Jonathan E. Schramm was shot and critically wounded by the driver of the vehicle. The officer remains in serious condition at St. Luke's Hospital in Bethlehem, Pa.

Mammaro has been charged with possession of a controlled dangerous weapon (.45 caliber semi-automatic pistol), possession of an assault weapon (.45 caliber sub machine gun), and possession of large capacity ammunition magazines. Mammaro was not charged directly in connection with the officers shooting.

Schramm, 41, was shot three times in the face, neck and arm by Justin McCarthy of Lebanon Township, who was shot and killed on the scene by responding State Police Troopers Mark Moyna and Rich Wambold.

The incident began about 3 a.m. on Mountainview and County Road 643 in Franklin Township after local residents reported gun shots being fired from McCarthy's vehicle. Authorities said the gun shots were directed at street/road signs, mail boxes, street number signs, and residences.

As Schramm, Moyna and Wambold approached the vehicle they noticed a weapon in the back seat of the vehicle and ordered the driver and passenger to exit the vehicle. Mammaro immediately surrendered, but McCarthy did not. A struggle ensued and McCarthy pulled a .45 caliber hand gun from a bullet proof vest and shot Schramm, authorities reported. State Police returned fire and killed McCarthy.

During a telephone interview Washington attorney Leonard J. Artigliere remarked that he could not comment why his client, Mammaro, was in the vehicle at the time of the incident because of an ongoing investigation.

"That's a subject of the Attorney General's investigation," he said. "We don't want to interfere in that investigation by saying anything at this point."

In court Artigliere read a statement about the incident. "Damon Mammaro and his entire family have Officer Jon Schramm in their thoughts and prayers," he said. "We join the entire community in praying for Officer Schramm's complete recovery."

The attorney criticized the media for terminology used in connection with Mammaro and McCarthy. "We are confident that when the investigation is complete, that Mr. Mammaro's absolute innocence in this incident will be confirmed," Artigliere said. "I will say that media reports referring to Mr. Mammaro as a "friend" or "sidekick" of McCarthy are not only inaccurate but extremely hurtful to this young man and his family. The cavalier use of language in some reports is unfounded and unfair. Again, we are confident that the investigation will establish the inaccuracy of many media reports."

In the statement he also asked reporters to respect the privacy of the Mammaro family and said the family will not comment further until after the Attorney General's Office completes their investigation.

During a phone interview it was questioned whether his client was ever involved in any incident of this nature before. "He's (Mammaro) absolutely not been involved in anything like this in any way shape or form before," Artigliere responded.

According to John R. Hagerty, spokesman for the Division of Criminal Justice, an investigation focusing on the shooting and the circumstances leading up to the event continues. Creating a

timeline leading up to the shooting and background of driver McCarthy may take "several months" to complete, the spokesman said. They are also awaiting a toxicology report, which will reveal if McCarthy was under the influence of drugs or alcohol at the time of the shooting.

The spokesman reported that Mammaro is cooperating with the investigation, he was officially notified of weapons possession charges in court last Thursday, and he is not being charged in connection with the shooting or of shooting a weapon.

"There was sufficient probable cause to charge him (Mammaro) in connection with the shooting," Hagerty remarked. "We do not care what his relationship with the driver was."

A plea conference is scheduled for 8:30 a.m., Thursday, July 17 at the Warren County court house. According to Artigliere this is part of the standard court procedures to "keep a case on track" and discussion of a "plea disposition" at that time is possible.