

ATTORNEY GENERAL'S REPORT REGARDING THE MURDER OF SANDRA MARISOL FUENTES HUARACHA AND SUBSEQUENT SUICIDE OF MICHAEL GLEASON, JR. ON JULY 6, 2025, IN BERLIN, NEW HAMPSHIRE

October 14, 2025

I. INTRODUCTION AND SCOPE OF REPORT

The purpose of this report is to summarize the facts developed during the investigation into the July 6, 2025 murder of Sandra Marisol Fuentes Huaracha by Michael Gleason, Jr., and the subsequent suicide of Michael Gleason, Jr., at La Casita restaurant in Berlin, NH. In that sense, this report is an investigative report pursuant to the Attorney General's authority as attorney for the State under New Hampshire RSA 7:6. In addition to conducting an investigation of the facts and circumstances surrounding the murder and suicide, the Department of Justice (DOJ) has also conducted a review of the proceedings and circumstances that lead up to the tragic events of July 6 to identify any potential issues of concern with regard to the actions or decisions of law enforcement and prosecutors and to determine necessary action steps to make system improvements. Therefore, in addition to being an investigative report, this report also details the results of the DOJ's review.

The dual purposes outlined distinguish this report from most reports issued by the DOJ. The DOJ does not typically issue this type of dual-purpose report and does not expect to issue this type of dual-purpose report as a general matter in future cases, absent unique or extraordinary circumstances. In this case, the Attorney General has determined that the issuance of a combined investigative and review report is in the public interest and necessary to both (a) address concerns regarding this case that have been publicly expressed and the subject of extensive public discussion, and (b) outline some of the steps that the DOJ will take with various partners and stakeholders to make system improvements.

It is also worth noting that this report, and the investigation and review that it summarizes, is not the end of the effort to examine this case. As has been publicly announced, the Governor and Executive Councilors have asked the newly created Domestic Violence Fatality Review Committee (DVFRC) to make the tragic murder of Sandra Marisol Fuentes Huaracha the first case it takes up. The DVFRC will therefore conduct an even more extensive review of this case over the course of the coming months, and likely issue recommendations that go beyond the action steps outlined in this report.

Finally, the DOJ acknowledges and appreciates the Internal Review Report Regarding State v. Michael Gleason Jr. issued by the Judicial Branch (the Judicial Branch Report). The Judicial Branch Report sets forth some extensive and helpful background information that is contained within Court records. For purposes of economy and efficiency, we endeavor not to repeat much of that information in this report except where necessary to complete this report's objectives. The DOJ recommends that interested parties review both this report and the Judicial Branch Report to obtain the most complete review of this case.

II. OVERVIEW

On Sunday July 6, 2025, at approximately 7:12 A.M., Micheal Gleason, Jr. (Gleason), used a copied set of keys to get into the La Casita restaurant in Berlin hours before it was scheduled to open. He took a bottle of tequila and hid, waiting a little over two hours for his estranged wife to arrive to help open the restaurant. He stayed hidden in the dining room when cooks arrived at 9:00 A.M. and began preparing food in the kitchen. A little over a half hour later, at 9:37 A.M., Sandra Marisol Fuentes Huaracha (Fuentes) arrived, and began prepping the bar. Three minutes after she came into the restaurant, Gleason burst forth from his hiding spot, immediately walked to Fuentes behind the bar, and shot her three times with a sawed-off shotgun he had deceived a relative into giving him the day before. Gleason then walked to the bathroom and shot himself in the face. He staggered around the restaurant for a little over a minute while kitchen workers fled out the kitchen door, before staggering back to the bathroom, where he shot himself in the head a second time and dropped to the floor. Both Fuentes and Gleason died from gunshot wounds that Gleason inflicted.

The criminal investigation revealed that Fuentes and Gleason had been separated for months after Gleason sexually assaulted her, stole from her, and threatened her in April 2025. Gleason was out on bail at the time he killed Fuentes, with the Coös County Grand Jury scheduled to convene just 12 days later on July 18, 2025. The State, through the Berlin Police Department (Berlin PD) police prosecutor, had asked for Gleason to be held on preventative detention twice; first at his bail hearing before the bail magistrate (Johnson, M.), and then the next day at his arraignment before the Circuit Court judge (Subers, J.). Both requests were denied. The police prosecutor demonstrated probable cause that the crime had occurred at the probable cause hearing on May 21, 2025, but having already been denied preventative detention twice before with no change in circumstances, he did not seek preventative detention a third time at the probable cause hearing. In addition, the police prosecutor did not seek appellate-level review of either of the two orders denying the State's requests that Gleason be held on preventative detention. At no time after the arrest and arraignment, or after the probable cause hearing, did the State seek to modify Gleason's bail conditions or seek to revoke bail and have Gleason detained pending trial on his active charges.

This report (1) summarizes the facts known to investigators about the interactions between Sandra Marisol Fuentes Huaracha and Michael Gleason, Jr., prior to the homicide; including limited facts about their marriage, the breakdown in their marriage, and Gleason's assault in April of 2025; (2) summarizes the facts known to investigators regarding the criminal proceedings related to Gleason's assault, including efforts to have Gleason detained pending trial; (3) summarizes the facts known to investigators regarding Gleason's alleged misconduct with an unrelated minor beginning in February 2025, (4) summarizes the facts known to investigators regarding the murder itself on July 6, 2025; (5) makes observations and conclusions regarding the actions of law enforcement and prosecutors; and (6) details action steps that the Department of Justice plans to take to address identified issues and make system improvements.

III. FACTS

A. Background and Marriage

Fuentes was a legal immigrant in the United States from Mexico. She had been living in the Berlin area for a while, and worked at La Casita restaurant in Berlin as a bartender/waitstaff. Her

brother was part owner of the restaurant. Gleason met her at the restaurant. They dated for only a matter of months before Fuentes agreed to marry Gleason, and the two were wed in Vermont in November 2024. Several witnesses questioned whether Fuentes was persuaded to agree to the wedding over immigration concerns following the national election, however, other witnesses said that Fuentes was seeking an older, traditional-style marital partner with a clear division of roles and responsibilities by gender.

Multiple witnesses interviewed by investigators described Gleason as controlling and manipulative. Driving back from Vermont after the wedding, the couple drove into Canada and Fuentes was detained for several days when they went to reenter the country. Gleason's critics found it implausible that he could have done this accidentally as he claimed, and believed it was deliberate to manipulate Fuentes into being more dependent on him. Around three months later, near Valentine's Day, Gleason expressed how he was jealous of how other people at the restaurant/bar interacted with his wife, and he believed they were flirting with her. Restaurant regulars said he sent dozens of roses to the establishment one evening and engaged in what they explained was an exaggerated display of adoration in front of patrons, embarrassing Fuentes in the process.

B. April 2025 Reported Sexual Assault and Other Offenses

On April 25, 2025, Fuentes met with officers of the Berlin PD to report that Gleason sexually assaulted her. She detailed how she was getting out of the shower that morning when Gleason grabbed the towel from around her and forced her onto a bed. She told Gleason to stop several times, but he did not stop. He then straddled her body and held her arms down with his hands, leaving visible bruises officers saw on both of her upper arms. She reported that he kept her down for over an hour, during which he told her she wasn't leaving the house and he sexually assaulted her. Specifically, she detailed how Gleason committed an act of sexual penetration as she repeatedly told him "No", and described how she physically fought to prevent him from penetrating her. During her struggle, she admitted biting his shoulder and lip when he tried to kiss her and kiss her neck, which she described as only infuriating him further.

In addition to the assault, Fuentes reported that Gleason stole between \$8,000-\$9,000 of cash out of a bag she stored in the home that she was saving to start her own business, as well as additional cash in her purse (several hundred dollars) and her cellphone. Gleason told her he wouldn't let her take anything from the home. She was eventually allowed to leave late for work, and without her purse or phone. She could not remain at work long, where other employees saw she was in distress. She eventually left work before the end of her shift and went to a friend's house. The friend spoke with her and eventually convinced her to call the police and disclose what happened.

Berlin PD transported Fuentes from the friend's home for medical care, and used a Lethality Assessment Program screening tool per protocol.¹ Upon application to the Court, she was granted an Emergency Restraining Order against Gleason.

¹ Any communications Fuentes had with a domestic violence crisis center as a result of this screening are confidential pursuant to RSA 173-C.

C. Arrest, Bail, and Bail Conditions

The next day, Saturday, April 26, 2025, Berlin PD submitted applications for an arrest warrant into the portal, and the Superior Court (Delker, J.) then issued felony arrest warrants for Kidnapping – Domestic Violence, Aggravated Felonious Sexual Assault – Domestic Violence, and Theft By Unauthorized Taking. The affidavit supporting the arrest warrant informed the Court that the Emergency Restraining Order against Gleason had been granted by Judge Greenhalgh. Gleason was arrested at 11:39 A.M. after a brief flight out of the back of his house before officers caught him. He was processed at the Berlin PD, and then brought to the Coös County House of Corrections to await a hearing on bail determination.

As part of the emergency protection order obtained by Fuentes, Gleason was required to relinquish all firearms and ammunition. Police seized these from the home at the same time as Gleason's arrest on Saturday, April 26, 2025. During the search of Gleason's home, 24 firearms were taken into custody (13 rifles, 7 pistols, 4 shotguns), as well as an air rifle, collapsible baton, crossbow, 3 bows, arrows, a sword, multiple firearm magazines, and ammunition boxes. See Exhibit 1 – Berlin PD Inventory report.

On Sunday, April 27, 2025, a telephonic bail hearing was held before a bail magistrate (Johnson, M.). The police prosecutor argued that the severity of the offenses charged, the length of time Fuentes was assaulted, and Gleason's initial flight from officers announcing they had an arrest warrant weighed heavily in favor of preventative detention. The magistrate denied the police prosecutor's request for preventative detention, and instead set bail in an amount of \$5,000 cash with conditions upon release. The magistrate also ordered that Gleason be allowed to utilize a civil standby through the Berlin PD to retrieve personal belongings and landscaping equipment from the marital home, and to relinquish any and all firearms as a condition of his bail.² Gleason stayed incarcerated the rest of that day.

The next day, Monday, April 28, 2025, Gleason was arraigned in 1st Circuit Court – District Division. Again, the police prosecutor asked the Court to order Gleason held on preventative detention. The Court (Subers, J.) denied the request and reaffirmed the earlier bail order; only modifying it by requiring that the source of any bail funds produced be shown to not include \$5,000 of the cash that Gleason was alleged to have stolen from Fuentes. A probable cause hearing was set for May 21, 2025. The police prosecutor did not seek to appeal the denial of the request for preventative detention.

Following the murder/suicide on July 6, 2025, investigators were informed that one of Gleason's firearms was not taken by police during their search of the home. Mr. Eric Demers called Berlin PD following the murder to report that he had discovered a firearm in Gleason's home after police searched it on April 26, 2025, but prior to Gleason's release and civil standby at the home on May 1. Mr. Demers described how Gleason called him from jail and asked him to retrieve his computer and another item from the home while he was incarcerated. Mr. Demers went to the home to get these items and Mr. Demers' son discovered a Glock 19 handgun on a windowsill behind a curtain upstairs in the home. Mr. Demers told police he took the gun from the home knowing that there was a domestic violence order in place, but that he did not think that the gun had to be in police custody – merely out of Gleason's

² Police did not conduct a second search of Gleason's home following this order on April 27th, as they had taken what they believed to be all of Gleason's firearms and ammunition the afternoon before pursuant to the emergency domestic violence order of protection.

custody. Mr. Demers then held on to the Glock 19. He reported he never told Gleason about taking the weapon, and that he never would have given it to Gleason even if Gleason asked for it since the domestic violence order was in effect.³

This Glock 19 was not the murder weapon. According to Mr. Demers, Gleason did not come into possession of this weapon at any time after his arrest on April 26, 2025.

D. Probable Cause Hearing

At the probable cause hearing on May 21, 2025, Gleason elected for a contested hearing and lost, with the Circuit Court (Greenlagh, J.) finding probable cause had been shown, and holding the matter over for 90 days in order for the defendant to be considered and indicted by the Coös County Grand Jury. The Coös County Attorney was made aware of this hearing, and requested a copy of the relevant materials for transfer. A member of the Coös County Attorney's Office attended Fuentes' domestic violence proceeding one week later in the Circuit Court, and began preparing to indict Gleason for the July Grand Jury session, which was scheduled to meet on July 18, 2025.

At no time after the probable cause hearing did the State seek to modify Gleason's bail conditions or seek to have bail revoked. To file a motion to revoke bail, the State must either show probable cause to believe that a bailee has committed a new criminal offense, or show by clear and convincing evidence that the bailee violated a specific bail condition that by itself would not be a criminal act. RSA 597:7-a, III. A motion to revoke bail is filed with the court that ordered the release and whose order is alleged to have been violated. Berlin PD records indicate that Fuentes alleged Gleason violated the terms of his protective order on several occasions. Records indicate these allegations were still being investigated as of July 6, 2025, and one was determined to be unfounded.

E. July 2025 Assault Allegations Involving a Minor

Throughout June and July of 2025, Gleason remained out on bail and stayed outside of the marital home. In addition, Fuentes eventually began moving from residence to residence, telling others that she was fearful that Gleason was searching for her. She was assisted by coworkers and Good Samaritan patrons from the restaurant who agreed to store some of her belongings, and who helped drive her to Boston during this time for scheduled immigration court hearings. Several witnesses stated that they helped Fuentes stay with friends and relatives because they believed Gleason would be looking for Fuentes at the marital home.

One of the places Gleason stayed in during this time period was the apartment of an adult woman in Berlin. Also staying at the apartment was a minor. On the morning of Tuesday, July 1, 2025, the woman and the minor travelled to the Berlin PD where the minor reported being sexually assaulted by Gleason that year.⁴ The same day this sexual assault was reported, Berlin PD Dispatch received a copy of a temporary stalking protective order prohibiting Gleason from having any contact with the minor. Officers served Gleason with a copy of the order the following morning, on Wednesday, July 2, 2025.

³ Whether Mr. Demers intended to give the gun back to Gleason once the protective order expired and the charges resolved, or dispossess himself of the gun some other way, is unknown.

⁴ The minor also participated in a voluntary Child Advocacy Center (CAC) interview on July 3, 2025, in which the minor elaborated on the details of Gleason's sexual assault.

F. Gleason Changes Vehicles

After Gleason was served with this stalking protective order, Gleason's actions show he began making decisions and taking actions that led to the murder of his wife.

After he was served with the stalking protective order, Gleason contacted a friend, Walter Marchiso (age 54). Marchiso later told investigators that Gleason reported not being in his right state of mind: that he had been having a hard time with the woman he married, and that he should just kill himself and maybe take her out too. Gleason asked Marchiso for a ride to Somersworth on the following day, Thursday, July 3, 2025, so Gleason could rent a car and "take off for a week." Marchiso drove Gleason to Somersworth as asked, and Gleason left his truck and trailer at Marchiso's home in Ossipee. Records showed that Gleason went to Enterprise Rent-A-Car on Route 108 in Somersworth, where he rented a Mazda CX-70 SUV on July 3, 2025, which was scheduled to be returned in one week.

Gleason's comments on July 2nd and 3rd left Marchiso uncomfortable. Early the following morning, Friday, July 4, 2025, Marchiso, who lived in Carroll County, called his Sheriff's Office, and asked an officer to conduct a welfare check on Gleason. The dispatcher noted in the call log Marchiso's stated concerns:

- Gleason had been having a hard time with the woman he married;
- Gleason was not in the right frame of mind;
- Gleason came to Marchiso's house making comments saying he should just kill himself and maybe take her out too;
- Gleason asked for the ride on July 3rd to get a rental car to take off for a week;
- He was concerned after the comments why Gleason would need a rental car when he has his own vehicles after Gleason made comments about killing himself and the woman;
- He believed Gleason had two restraining orders against him and thought Gleason's weapons were taken away;
- Gleason's truck and trailer were at his (Marchiso's) house in Ossipee;
- He wanted a welfare check in case something happened;
- He knows Gleason was from Berlin and that's where his "soon to be ex-wife is"; and
- Since he dropped Gleason off in Somersworth, he didn't know which law enforcement agency to call.

Carroll County Sheriff's Office records showed that Marchiso's call came in at approximately 6:17 A.M. on the morning of July 4, 2025. Dispatchers relayed this information to the Berlin PD, and noted at 6:31 A.M., that Berlin PD had acknowledged receipt of the information, stated they were familiar with an ongoing matter involving Gleason, and that they would have officers conduct a welfare check with Gleason.

Berlin PD dispatch records show that they relayed the information from Carroll County Sheriff's dispatch to Berlin officers on duty for follow-up at 6:36 A.M. Less than one hour later, at 7:30 A.M., Berlin dispatch records document Officer Jarod Beale advising the dispatcher to close the call for service; that he had contacted Gleason by phone and that Gleason denied both knowing anyone by the

name of Marchiso, and that he needed any assistance. No further action was taken by Berlin PD relative to Marchiso's call.

G. Gleason Obtains the Firearm Used in the Murder – An Antique 1960's Sears Pump Shotgun

Sometime later on July 4, 2025, Gleason called a relative, Douglas Cameron. Gleason told Cameron that he was staying in Pittsburg, and had been invited to go skeet shooting the following day. He asked to borrow a shotgun from Cameron so he would not need to drive back to Berlin to retrieve his own shotgun for the skeet shoot. Cameron told investigators that he had not spoken to Gleason for quite some time, and was unaware Gleason had been arrested, was currently on release, had bail conditions and protective orders preventing him from possessing a firearm, or that he was separated from his wife. Cameron agreed to loan him a shotgun for the following day.

Early on the morning of Saturday, July 5, 2025, Gleason met Cameron in Colebrook and Cameron loaned Gleason one of his shotguns. The shotgun itself was an antique that had been given to Cameron as a gift: a 1960's Sears pump-action shotgun. The gun was unaltered with its original-length barrel.⁵ Cameron told investigators he loaned this particular shotgun to Gleason as he thought it would have been the better shotgun for skeet shooting. Gleason told Cameron they may do target shooting after shooting skeet, and asked for several rounds of both bird shot and slugs for the shoot. Cameron gave Gleason the shotgun and a box with five rounds of birdshot and five rounds of buckshot/slugs.

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⁵ After the murder, a separate relative discovered a timely receipt for tools that Gleason purchased before the murder. These tools were likely the tools Gleason used to shorten the barrel and make the gun more concealable.

H. Murder at La Casita on Sunday, July 6, 2025

At approximately 7:12 A.M. on Sunday, July 6, 2025, Gleason parked his rented Mazda CX-70 around the corner of the Notre Dame Ice Arena within easy walking distance of the restaurant. Investigators believe Gleason likely made a copy of the key to the restaurant's front door back in April when he stole Fuentes' set of keys. Gleason entered through the front door, and locked it behind him.

The restaurant had a surveillance system⁶ that recorded various areas of public spaces in the building, including three cameras that cover spaces relevant to this report: the main dining room, the bar, and the hallway leading from the dining room to the bathrooms. The following image is a sketch of the dining area relevant to the event with areas shaded in red, green, and blue indicating areas of the restaurant captured by relevant video surveillance:

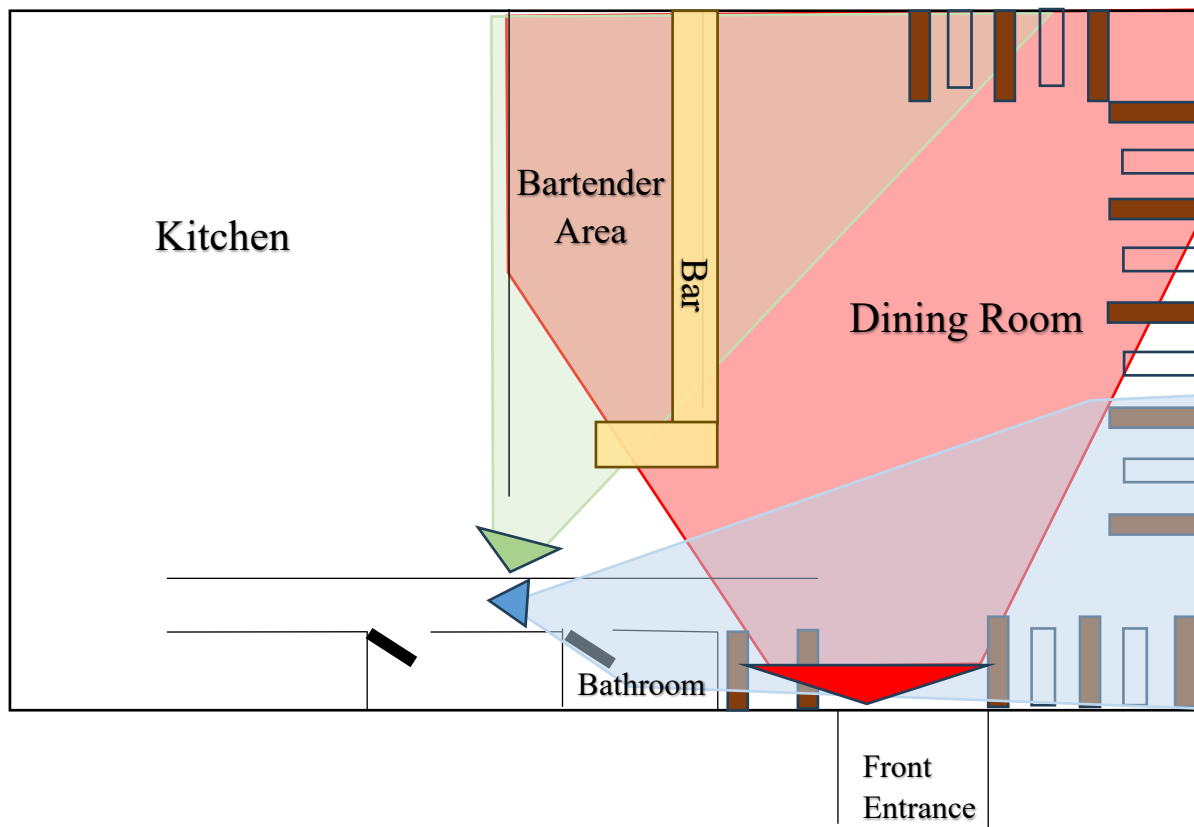


Image 1 – Diagram of dining area and approximate security camera coverage. Red, blue, and green shaded areas represent the area visible in recordings. Not drawn to scale.

⁶ The video footage recovered by investigators was not continuous due to difficulties in retrieving data from the recording system. Fortunately, all relevant events capturing the entries of Gleason and Fuentes into the business, as well as the shooting itself and Gleason's actions immediately thereafter, were recorded.

At approximately 7:12 A.M. on July 6, 2025, Gleason entered La Casita from the front door hours before it was scheduled to open for lunch. He walked directly into the dining room area. Concealed in his clothing was the antique shotgun now with a shortened/sawed-off barrel. Gleason took the gun, and eventually a bottle of tequila, and hid in the corner of the dining room between highback booths that concealed his presence:



Image 2 – Gleason's entry into the dining room area.

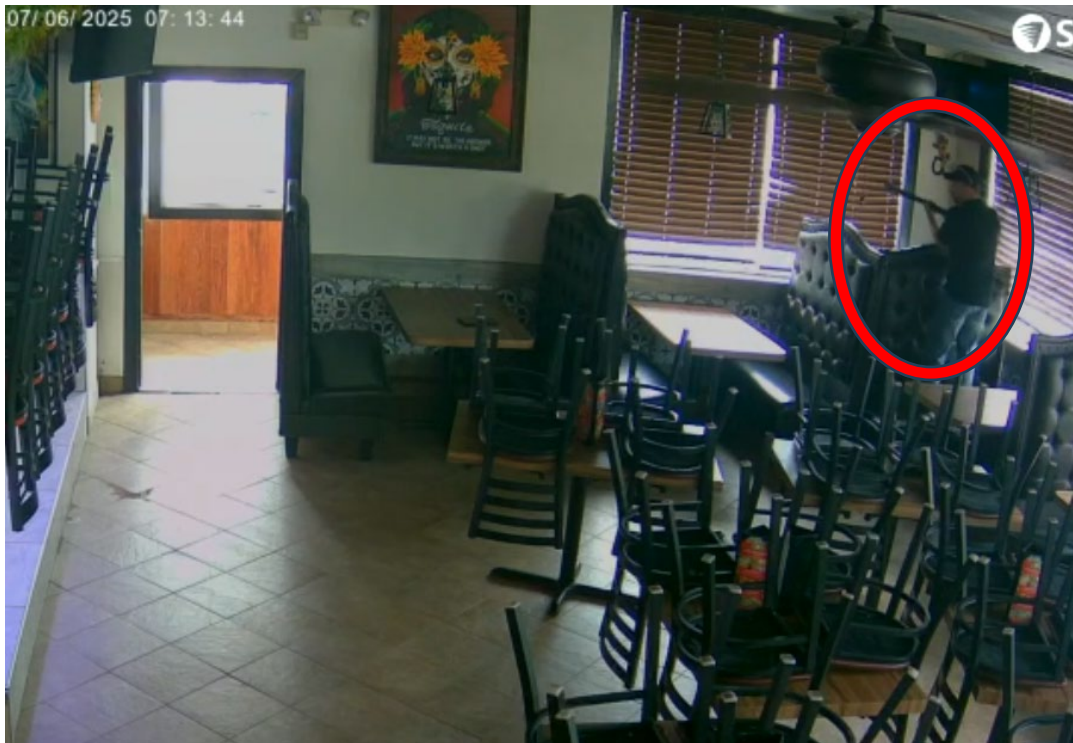


Image 3 –Gleason holding the shotgun as he climbs into the corner of the dining room concealed by highback booths.

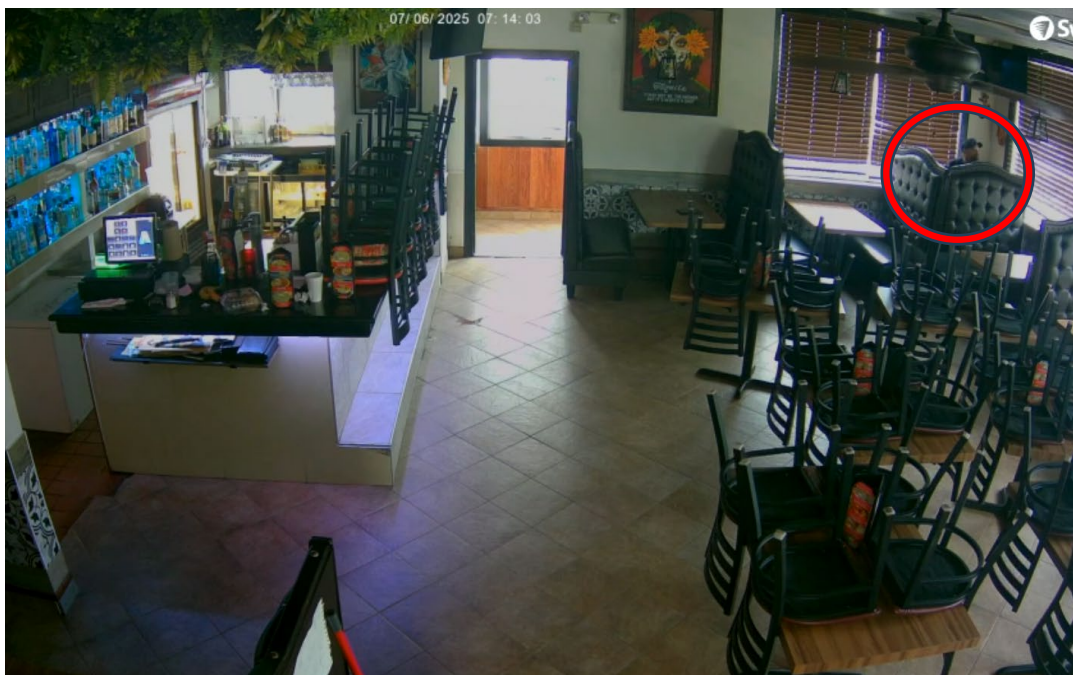


Image 4 – Gleason raising his head to look out from his concealed position.

Gleason remained hidden inside the restaurant for the next two hours. At approximately 9:00 A.M., kitchen staff arrived through the kitchen's back door. Interviews with each staff member confirmed that no one went out into the dining room to search the restaurant in the 40 minutes between

their arrival and the murder. Evidence indicates that they were completely unaware that anyone was in the dining room. Even if one of those employees had walked into the dining room, the highback booths would have concealed Gleason's presence. Even if a person had been walking around the outside of the restaurant, the pulled shades would have prevented anyone from looking in and seeing Gleason in his position.

At approximately 9:37 A.M., Fuentes entered the restaurant through the front door.

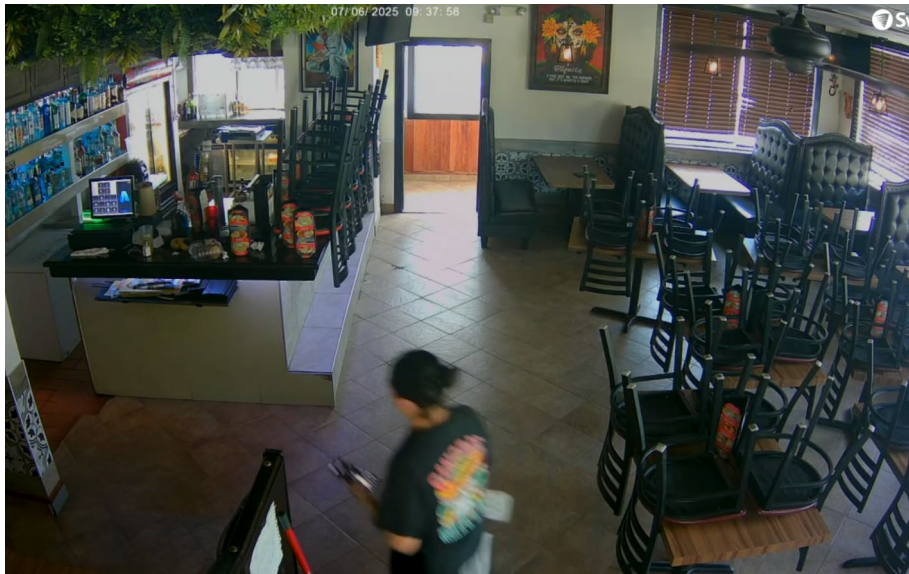


Image 5 – Fuentes enters the restaurant from the front door. Gleason is still concealed.

The surveillance cameras captured her going towards the kitchen before turning on the lights over the bathroom hallway and bar. Kitchen staff confirmed in their interviews that she quickly greeted them in the kitchen before going behind the bar to begin prepping for opening. The last footage captured that shows Fuentes before Gleason came out of his concealment was at 9:38:44 A.M.

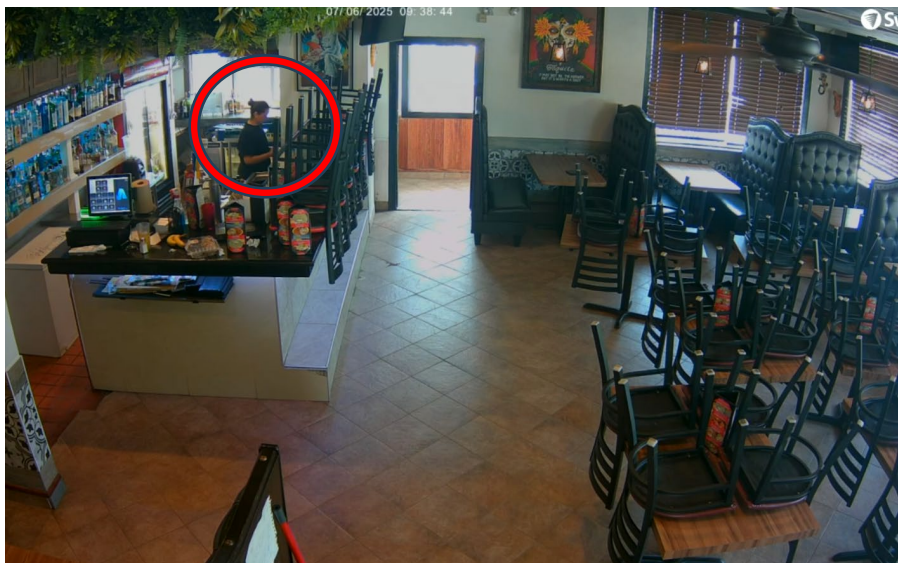


Image 6 – Fuentes prepping behind the bar at 9:38:44 A.M.

Approximately a minute later, Gleason forced the two adjacent booths aside, and holding his shotgun with both hands, quickly moved towards the bar.



Image 7 – Gleason approaches Fuentes behind the bar.

Once Gleason blocked Fuentes from leaving, he quickly aimed the shotgun at her head and fired. Fuentes was struck and immediately fell unconscious to the ground. Gleason then fired two more times into Fuentes, striking her midsection. In all, Gleason fired three times at Fuentes in approximately five seconds as he stood next to her.



Image 8 – Gleason standing over Fuentes behind the bar as he continues to fire.

Almost immediately after shooting Fuentes, Gleason turned the corner and went into the closest customer bathroom. Kitchen staff reported hearing the initial gunshots, and one employee cautiously looked into the bar and dining area to see Fuentes deceased behind the bar. As he quickly went back and told the other employees that Fuentes was dead, he heard another single gunshot. The staff then collectively ran out of the restaurant through the kitchen door, and used their cellphones to call for help.

Physical evidence recovered at the scene and video showed that this later gunshot heard by the staff was Gleason in the bathroom shooting himself in the face with his shotgun. Footage showed that Gleason's first self-inflicted gunshot caused massive injury to the left side of his face, but he did not die. Instead, Gleason left the bathroom, and stumbled through the dining room for over a minute. During this time, he approached the front door, then the bar area and Fuentes, and ultimately stumbled back to the bathroom. The bathroom door was left open as he re-entered, and after a moment, Gleason can be seen retrieving and manipulating the shotgun, and then quickly jerking backwards and collapsing to the floor as he fired his shotgun at himself again, aiming this time under his chin.

Physical evidence collected at the scene confirmed Gleason's actions captured on video. In addition, investigators recovered Gleason's cellphone. The contents of the phone show that Gleason left several writings in the Apple Notes application in the hours he was hidden inside awaiting Fuentes' arrival, and recorded a short video. The contents of these notes and video reflect his intent to first kill Fuentes and then himself.

In total, Gleason left eight notes between approximately 7:21 - 9:00 A.M. that morning. In them, he indicates that he is using the "talk to text" feature of his phone and apologizes for using this and being a poor typist. The talk to text feature makes the content of the notes difficult to discern with 100% certainty due to inappropriate punctuation and some transcription errors (for example, the note may read "Mary's soul" in text even though the content shows Gleason would have said aloud "Marisol"), however the vast majority of his intended content is discernible.

Several of the notes are addressed to relatives, but they contain references to Fuentes, such as:

- "Marisol knows why this is happening";
- "... using me to get a green card was not right and then destroying my life to get it because I was gonna divorce her. No that makes it right I'm about to do. [sic];
- "She took a vantage of my heart and who I am as a person. [sic] I seriously could not go on with her living in her life in America after destroying mine to be able to do that.";
- "[wishing support for relatives caring for his other children] [T]hey're gonna need you to help them get through all the damage. I'm doing at the moment. [sic]"; and
- "my corner, waiting for Marisol to come in. [sic]".

In the 51 second video, during which only part of Gleason's finger and the floor can be seen, Gleason says aloud, "Last will and testament," and then directs to which relatives he wants to take possession of his black Camaro.

IV. KEY OBSERVATIONS AND CONCLUSIONS REGARDING ACTIONS OF LAW ENFORCEMENT AND DISTRICT COURT PROSECUTORS

Below is a list of key observations and conclusions regarding the actions of law enforcement and prosecutors in this case. The discussion of these issues is not intended to assign blame for a tragic event where Michael Gleason, Jr. is solely responsible for his own actions, but rather to identify areas in which the system could have better performed and thus pinpoint where improvements are necessary.

A. Gleason's Initial Bail Hearing – April 27, 2025

The DOJ concludes that the police prosecutor took appropriate steps with respect to the initial bail hearing. The police prosecutor appropriately requested that Gleason be held on preventative detention, which the magistrate denied. While the Court made no recording or record of what was said at the hearing, the police prosecutor recalled proposing that Gleason be held on preventative detention given the severity of the offenses charged, the length of time Fuentes was assaulted, and Gleason's initial flight from officers. The police prosecutor also recalled Gleason's counsel arguing that Gleason's lack of criminal history, long-standing residence in the county, the ownership of his own landscaping business, and the presence of other family members in the area (including children) as reasons to set a cash or personal recognizance bail. While there was no appeal of the magistrate's decision, such an appeal would not have been practical and nor would there have been anything to be gained by appealing the issue, as the arraignment was scheduled for the following day and Gleason remained incarcerated until his arraignment.

B. Gleason's Arraignment – April 28, 2025

At the arraignment, the police prosecutor again requested that Gleason be held on preventative detention, which the DOJ concludes was appropriate under the circumstances and given the facts of this case. When this request was denied, no steps were taken to appeal the Circuit Court's decision. After discussing this fact with the police prosecutor, the DOJ concludes that the police prosecutor's decision not to take an appeal was not unreasonable under the circumstances. The police prosecutor reasonably concluded that, given the clear and convincing evidence standard in effect at the time of these proceedings, further requests to reassess bail after the arraignment were highly unlikely to be successful after the request for preventative detention had been denied twice: first by the magistrate and then by the Circuit Court.

In an informal survey of experienced circuit and superior court prosecutors, few if any prosecutors have considered appealing a decision to grant bail over preventative detention when preventative detention had been denied twice before. None of those prosecutors expressed a belief that such an appeal would be successful to show the Circuit Court unsustainably exercised its discretion by not ordering Gleason held under preventative detention under the previous version of the statute. This is especially so when such an appeal would likely take several weeks to be docketed by the Superior Court, during which a defendant would likely argue that his behavior while on release only strengthens the Court's initial assessment that detention was not warranted, and is further evidence that the Circuit Court's bail order was not an unsustainable exercise of discretion.

While the decision not to take an appeal was reasonable in this case, the DOJ believes that further training on when to take appeals of bail decisions is warranted, especially in light of the changes

to the bail statutes that took effect on September 21, 2025. The topic of training is discussed further in Section V of this report.

C. Seizure of Firearms – April 26, 2025

As noted in prior sections of this report, Berlin PD officers seized almost all of Gleason's firearms on April 26, 2025. However, as also noted, Berlin PD failed to seize one firearm, a Glock 19 handgun, which was instead recovered by Gleason's friend Mr. Demers prior to Gleason's release from custody. There is insufficient evidence for DOJ to conclude that Berlin PD officers acted inappropriately with respect to this firearm and the Department's obligation to seize Gleason's firearms generally, as officers seized all other firearms and deadly weapons that they reasonably believed to be in the home. Mr. Demers also indicated that the gun that Berlin PD failed to seize was found hidden on a windowsill behind a curtain and the discovery of the gun was unexpected, and thus there is no evidence to indicate that the officers' failure to discover and seize the Glock 19 was due to gross negligence.

In addition, the Glock 19 was not a weapon Gleason possessed after his April 26, 2025 arrest, and was not the weapon he used to murder Fuentes. It was removed from Gleason's home by Mr. Demers prior to Gleason's release from custody, and Gleason never regained possession of this firearm prior to the murder. Instead, Gleason deceived a relative into giving him the shotgun on July 5 when that relative was unaware Gleason had been arrested, was subject to bail/protective orders forbidding him from having firearms, and believed Gleason's lie that he was going to a skeet shoot with friends.

On the whole, the evidence indicates that Berlin PD's actions or inactions with regard to the seizure of Gleason's firearms did not contribute to the murder of Fuentes, given that the firearm used to commit the murder was borrowed from a family member on July 5, 2025, the day prior to the murder. Nevertheless, DOJ believes that further training regarding the seizure of firearms as required by protective orders in domestic violence petitions cases is warranted. This should include standardization of practice when denoting firearm seizure was completed when filing return of service forms. The topic of training is discussed further in Section V of this report.

D. Failure to Seek Preventative Detention at Probable Cause Hearing and Lack of Other Subsequent Efforts to Seek to Revoke Bail or Modify Bail Conditions

The DOJ concludes that while the police prosecutor could have requested preventative detention at the probable cause hearing, this request would almost certainly have been denied given the bail standards in effect at the time and the prior decisions by the bail magistrate and Circuit Court. This is especially so when Gleason would have argued that his continued appearances in Court for hearings, and no new criminal offenses while on release up and until that May hearing, were further evidence that the magistrate and Circuit Court justice's original bail determinations were correct, and that preventative detention was not necessary to ensure his appearance at hearings or compliance with Court orders. Despite the likelihood of a denial of a request for preventative detention at the probable cause hearing in this case, the DOJ concludes that this issue warrants further training in light of the changes to the bail statute that make it easier for the State to meet its burden to prove dangerousness.

With respect to the lack of other subsequent efforts to seek revocation of Gleason's bail, the DOJ concludes that sufficient new information came to light after the probable cause hearing for the State to at least consider seeking to revoke Gleason's bail if subsequent investigation revealed facts sufficient to support such revocation under the law. These included the allegations Gleason violated the protective orders by having marital property sold and personally retaining the proceeds. This consideration would

have occurred under two different standards: one for the violation of protective orders, and the other for the violation of bail conditions, pursuant to RSA 597:7-a, III. While overall this issue will require further examination and review by the DVFRC, some initial observations are included below.

A violation of a protective order issued under 173-B or 633:3-a is a crime for which law enforcement shall arrest if they have probable cause to believe a violation occurred. That arrest may be made without an arrest warrant within 12 hours of the violation occurring. Outside of that time frame law enforcement must seek an arrest warrant. Berlin PD reports indicate Fuentes alleged potential violations of the protective order and the department examined them, and while one was determined to be unfounded, others (the sale/conversion of marital property) were still being investigated at the time of the murder. These reports show that Berlin PD was investigating, but had not yet reached a determination whether sufficient evidence existed to show Gleason violated the protective orders by having marital property removed/sold and personally retaining the proceeds. These efforts, including the pace at which they were undertaken, raise questions that require further examination. This issue will therefore be referred to the DVFRC for further review.

Separate from a violation of protective order, revocation of bail requires the State to show probable cause to believe that a bailee has committed a new criminal offense, or to show by clear and convincing evidence that the bailee violated a specific bail condition that sitting by itself would not constitute a substantive criminal act. RSA 597:7-a, III. An officer may not immediately arrest the bailee absent proof of a separate substantive crime, but the State must file a motion to revoke bail with the same court that ordered the release and whose order is alleged to have been violated. Again, reports show that Berlin PD was investigating but had not yet reached a determination of whether Gleason's actions violated his bail conditions in the criminal matter. These efforts, including the pace at which they were undertaken, raise questions that require further examination. This issue will therefore be referred to the DVFRC for further review.

Independent from Gleason's alleged violations of Fuentes' protective order, the issuance of the July 1, 2025 temporary stalking order protecting the minor was insufficient for officers to file a motion to revoke Gleason's bail with the Circuit Court. The issuance of the stalking order was not a finding of probable cause that Gleason had committed the alleged assault or crime of stalking, but a finding that temporary protective measures were appropriate upon a credible allegation of stalking following the minor's *ex parte* argument to the Court. Officers could not then argue to the Court that probable cause had been found by the issuance of the order, especially when the investigation into the minor's assertion was being actively investigated. The same day the minor obtained the order, the minor reported what happened to the Berlin PD, who immediately opened a new investigation, and then scheduled and were present for a CAC interview two days later, July 3, 2025. As no finding of probable cause had been made, no motion to revoke bail could have been filed.

Absent a separate arrest warrant for Gleason's alleged conduct towards the minor, the timing of the July 1 stalking protection order also made it practically impossible for any revocation to have been heard prior to the July 6 murder. A bailee is entitled to notice and a hearing prior to his or her bail being revoked. If a motion to revoke bail had been filed against Gleason as soon as July 1, 2025, the hearing would have been scheduled in the ordinary course by the Court for a date in the future. The hearing realistically would not have been scheduled in the next two business days (July 2-3) before Courts were closed on Friday July 4 and the weekend of July 5-6.

Prosecutors may ask for an emergency *ex parte* hearing to revoke bail, but such actions are rare and would not have been feasible regarding Gleason, at least with respect to the alleged assault of the

minor. This is primarily because the alleged bail violation was a new allegation of criminal activity involving a different alleged victim, and more importantly, because the police department investigation was ongoing and had yet to determine whether there was probable cause to bring new charges. Given that this investigation was only a few days old, there does not appear to be an issue with the pace at which the investigation proceeded. There would also be no reason to conclude that the pace of this particular investigation contributed to Fuentes' murder.

E. Berlin Police Department's Lack of Action in Response to Information Received from Carroll County Sheriff's Department

Based on the facts developed to date, the DOJ concludes that the Berlin PD officer's actions in response to the information Berlin PD received from the Carroll County Sheriff's Department were wholly insufficient under the circumstances. At a minimum, Berlin PD should have informed Fuentes of the report, offered assistance and supportive resources, and followed up directly with Walter Marchiso. At this time, from the dispatch logs we understand that an officer merely contacted Gleason by phone and appears to have accepted Gleason's denial that he knew anyone by the name of Marchiso or that he needed any assistance. This lack of action highlights the need for further training for law enforcement in communicating with and supporting victims in domestic violence cases.

The DOJ withholds further comment on this issue for the purposes of this report given the pending internal review being conducted by the Berlin PD. DOJ will continue to communicate with the Berlin PD, monitor the progress of this review, and offer any assistance requested as the Berlin PD finishes its review to ensure that any appropriate remedial and/or personnel actions are taken.

V. **ACTION STEPS**

The DOJ appreciates the recommendations regarding system improvements outlined in the Judicial Branch Report. The DOJ is committed to working with the Judicial Branch and other partners and stakeholders to help implement those recommendations. In addition to those efforts, below are some actions steps that the DOJ plans to take to make further system improvements. The efforts outlined below have some overlap with the recommendations in the Judicial Branch Report and are by no means intended to be exhaustive. The DOJ anticipates that the DVFRC will develop additional recommendations based on its review of this case, and also anticipates working with stakeholders and partners on additional efforts, including developing new legislation, to further enhance our system and minimize tragic incidents such as Fuentes' murder.

A. Training for Prosecutors in Investigation and Prosecution of Domestic Violence Cases

The DOJ will work to enhance training offerings for prosecutors on the investigation and prosecution of domestic violence cases. This will include addressing the unique considerations that should be taken into account with respect to bail proceedings in domestic violence cases, including when to seek preventative detention and/or when to seek to revoke bail or modify bail conditions (on appeal or through other subsequent filings) when new information comes to light.

These efforts will begin with a day long training to be held on December 5, 2025, at the Department of Justice. All prosecutors in the State who handle domestic violence cases will be invited. The training will be recorded and made available to all prosecutors who are unavailable to attend.

B. Training for Law Enforcement

The DOJ will work with Police Standards and Training to enhance training for law enforcement officers in investigating domestic violence cases. This will include training on the service and processing of protective orders and the seizure of firearms, including efforts to standardize the information included on return of service forms, as well as communication with and support for victims. The DOJ will also continue to partner with the Governor's Commission on Domestic Violence, Sexual Assault, and Stalking, which has established a subcommittee on domestic violence protective orders.

C. Development of Protocols/Best Practices Regarding Bail Determinations

The DOJ provided guidance to prosecutors and law enforcement regarding key changes to the bail statutes prior to those changes taking effect on September 21, 2025. The DOJ will also develop a protocols/best practices document regarding bail determinations under the newly revised bail statutes that will cover a number of topics, including but not limited to (a) developing and presenting evidence to prove dangerousness and (b) when to seek to amend, revoke, or appeal bail determinations.

D. Enhance Communication and Information Sharing Systems – Initial Focus on J-One

The DOJ has engaged in discussions with the Judicial Branch, the Department of Safety, and other law enforcement agencies regarding the need to enhance the State's communication and information sharing systems. The DOJ will work with these and other stakeholders to identify necessary improvements and identify funding opportunities to institute improvements.

Initial efforts will focus on the J-One System operated by the Department of Safety. This system is used to pass criminal justice information maintained by other agencies between all areas of the criminal justice system, including federal, state, local and county law enforcement. J-One enables agencies to use Mobile Data Terminals (MDTs) within their vehicles and agencies to query federal and state criminal records databases as well as statewide lists of temporary protective orders, including domestic violence protective orders. Agencies connected to J-One who have arrested an individual for violation of protective orders can immediately process an e-complaint, which is passed to the court system electronically through the J-One system.

There are currently 224 (84%) New Hampshire communities connected to J-One. Eleven additional connections are expected to be added over the next year. This leaves 36 remaining agencies who need to be connected. The Department of Safety and DOJ have identified available federal grant funding to support the connection of the remaining 36 agencies to J-One through the Byrne-SCIP program. The proposal has been approved by the Byrne-SCIP Advisory Board and is awaiting federal approval, which must be obtained before the DOJ can seek necessary state approvals. Once the grant receives all necessary federal and state approvals, the DOJ will work with the Department of Safety to implement the proposal with the goal of connecting all remaining New Hampshire communities to J-One.

In addition to initial efforts involving the J-One System, the DOJ will work with the Judicial Branch, the Department of Safety, and other stakeholders to identify additional necessary information system improvements. As these necessary improvements are identified, the DOJ will work with partners to identify potential funding sources and develop proposals to address these improvement needs.

E. Expansion of Electronic Monitoring

Under the law as it existed in the spring and summer of 2025, the magistrate or Court could have considered electronic monitoring as a term of release if electronic monitoring had been available in Coös County. *See* RSA 597:2, III (a) (2) (A) (iii) (electronic monitoring and supervision where the defendant has been accepted for electronic monitoring and supervision by the county....).

The availability of electronic monitoring and supervision in New Hampshire varies from county to county. Currently, eight counties offer electronic monitoring and supervision in some form, while two do not⁷. Electronic supervision and monitoring entails active supervision of a person on bail through a transmission device. The device can provide the active location of that person to a county bail supervisor. Exclusion zones can be established that would exclude the supervised person from places where a protected person is likely to be, thereby adding an enhanced level of supervision to enforce any court-ordered no contact bail provisions. If the released person enters such an exclusion zone, an alert would be sent to the county bail supervisor, who would then inform the prosecutor and local law enforcement of the potential violation and perform a welfare check on the protected person. Electronic monitoring and supervision can also be used to enforce “no alcohol” provisions of bail if the county uses additional equipment to measure the BAC of the supervised person throughout the day.

Electronic monitoring, when used appropriately, is a method of enhancing community safety for cases where the facts do not warrant or permit preventative detention. The DOJ will work to identify possible grant funding or other funding sources to assist with implementing electronic monitoring in the counties where it is not currently available. Efforts should be made to explore, and potentially standardize, the current methods of conducting electronic monitoring and supervision, including the risk assessment tool and screening methods, and the current vendors providing this service to the seven participating counties. The DOJ will assist with these efforts.

F. Enhancement and Expansion of Lethality Assessment Program

The DOJ will work to enhance the State’s Lethality Assessment Program and expand its utilization by law enforcement agencies.

In 2009, the DOJ adopted the evidence-based Lethality Assessment Program (LAP) as a best practice response for domestic violence cases and has strongly recommended its use by law enforcement agencies statewide. The LAP was developed by the Maryland Network to End Domestic Violence (MNADV) as an easy-to-use process featuring a brief screening tool and an accompanying response and referral protocol to identify domestic violence victims who are at the greatest risk of being seriously injured or killed by an intimate partner and connecting them to a domestic violence crisis center for emergency safety planning and support services.

The MNADV recently introduced LAP 2.0, which includes a revised screening tool, updated training curriculum and resources, as well as access to a new data collection platform. The DOJ is working with MNADV on an implementation plan for LAP 2.0 and anticipates it will take between 12-18 months to complete the transition. The DOJ will coordinate training efforts and provide technical assistance to current LAP implementors regarding the requirements and expectations of LAP 2.0.

⁷ Coös and Carroll Counties currently do not provide pretrial bail services in any form.

Since 2013, all law enforcement officers receive LAP training as part of the domestic violence block of instruction at the law enforce recruit academy through Police Standards and Training, and LAP is included in the Model Response to Domestic Violence for Law Enforcement Protocol and Law Enforcement Manual, both published by DOJ. Additionally, approximately 100 law enforcement agencies currently voluntarily report aggregate LAP data to DOJ. DOJ encourages the participation of law enforcement agencies in LAP as a best practice and aims to bring increased participation with the implementation of LAP 2.0 statewide. The LAP 2.0 is being funded through the Violence Against Women's ACT (VAWA).

G. Enhancement of Data Collection and Analysis

Complete and accurate data is a critical tool in identifying other necessary system improvements. The DOJ will work to enhance the State's efforts regarding the collection and analysis of data related to the criminal justice system. NH RSA 7:40, provides that there shall be a Statistical Analysis Center (SAC) under the supervision of the Attorney General. The statute states that the SAC shall provide complete and accurate criminal and juvenile justice statistics to public officials, as well as to law enforcement personnel for operational, managerial, and planning purposes. While the current version of the statute related to the SAC has been in existence since 1986, as far as current DOJ leadership is aware, a SAC has never been fully operational at the DOJ or provided with any specific resources in the State's biennial budget.

The DOJ will place a renewed focus on the SAC in the coming months and develop a plan to bring it to full operational capacity. Federal funding has been identified to support the hiring of a statistics analyst, and the DOJ anticipates seeking approval to create and fill this position in the coming months. The analyst will collaborate closely with the DOJ's Deputy Director of Administration and Director of Grants Management and Strategic Initiatives to carry out the responsibilities outlined in RSA 7:40. The DOJ will work to determine what additional resources, if any, may be necessary to bring the SAC to full operational capacity and maximize its effectiveness, and work to identify funding sources through federal grants, collaboration with other state agencies, or through a request in the next biennial budget.

To support the SAC's success, the DOJ will be convening a statistical analysis steering committee by the end of 2025. This committee will include representatives from New Hampshire law enforcement agencies, correctional facilities, the judiciary, the Department of Safety's Information and Analysis Center and J-One Team, as well as community stakeholders to promote enhancements to practices and procedures that impact the criminal justice system.

EXHIBIT - 1

BERLIN POLICE DEPARTMENT

~~SEARCHED INDEXED~~ — INVENTORY

Owner: Michael Gleason JR.

Case # 25-218-AR

Date: 4-26-25 Time: 1830

Location of Search:

465 Hillside Ave

Officers Participating: Beal, Pearson, Cusson

Item Found		Serial	Item	Serial
Item Found		Time Found	Where Found	Person Finding
	muzzle loaded rifle	UNK.	Taurus Pistol	SSH 02910
	Katana	—	5 1/2 W Revolver	392635
	5 1/2 W Baton	—	Medallion Rifle wood stock	BRJP1826SYM354
	Springfield Armory Hellcat	BA264220	Remington 870	A15925IU
	5 1/2 W mod 9085	Serial # VJL 8219	.50. Scout	33862
	Misc Firearm mags	—	One crossbow	—
20	Misc Ammo Boxes	—	Remington ^{SP} Rifle .22	UNK.
	3 Boxes w/ Arrows	—	Mossberg 12 ga	V0389926
1	Blekan case w/ ammo	—	Misc. Knives	
	Gun Barrel	—	Remington 870	RS14050Y
	Keltec F-11	35417	Anderson Rifle	16062539
	Radcal RF-15	RD03362	Springfield Pistol Holcat	BBS#2559
	DMP5 Panther	118505		
	Mossberg bolt rifle	MPR130300		
	Bill Pup Shotgun	XX2596		
	Mosin Springfield	2700662		
	Mossberg 12 ga	0933441		
	Yukon Rifle	14-13-053424-07		
	Rifle Rifle .351 wood stock	UNK		
	Umlaut AR-15	WTF0054		
	Colt Rifle	LE446014		
	Ruger Rifle	82763628		
		Recorded By: Cpl. Beal / Sgt. Pearson		