

Hon. J. Richard Creatura

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff

v.

RYEN ETHAN BELL, and
DEVIN MITCHELL SCHMIDT,
Defendants.

CASE NO. MJ20-5074

COMPLAINT for VIOLATION

Title 14, U.S.C. § 521(c) and
Title 18, U.S.C. § 2

BEFORE the Honorable J. Richard Creatura, United States Magistrate Judge,
Tacoma, Washington, the undersigned complainant being duly sworn states:

COUNT ONE
(Knowingly Communicating a False Distress Message to the U.S. Coast Guard)

On or about December 18, 2019, in Jefferson County, within the Western District
of Washington, RYEN ETHAN BELL and DEVIN MITCHELL SCHMIDT did
knowingly and unlawfully communicate, and did aid and abet the communication of, a
false distress message to the United States Coast Guard and cause the United States Coast

Guard to attempt to save lives, when no help was needed, by faking the death by suicide of DEVIN MITCHELL SCHMIDT.

All in violation Title 14, United States Code, Section 521(c) and Title 18, United States Code, Section 2.

I. INTRODUCTION

1. I, Evan Sanborn, am a Special Agent with the United States Coast Guard Investigative Service (CGIS), and have been so employed since September 2010. Currently, I am assigned to the CGIS Northwest Region in Seattle, Washington. I have been an active duty United States Coast Guard member for over 20 years, and have participated in multiple aspects of federal law enforcement within that timeframe. In my official capacity as a CGIS Special Agent, I have investigated violations of federal and state law along with violations of the Uniform Code of Military Justice. My training includes attending both the Criminal Investigators Training Program at the Federal Law Enforcement Training Center and the Naval Criminal Investigative Service's Special Agent Basic Training Program. As part of my duties as a CGIS Special Agent, I have previously investigated Search and Rescue hoaxes and reports of false distress.

II. PURPOSE OF THE AFFIDAVIT

2. The facts set forth in this Complaint are based on the following: my personal and direct participation in the investigation, my experience and training as a CGIS Special Agent, my conversations with witnesses and other law enforcement personnel participating in this and related investigations, and my review of relevant documents and reports.

3. Because this Affidavit is submitted for the limited purpose of establishing probable cause, it does not set forth each and every fact that I or others have learned during the course of this investigation. I have set forth only those facts that I believe are relevant to the determination of probable cause to believe that RYEN ETHAN BELL and DEVIN MITCHELL SCHMIDT committed the crime of Knowingly Communicating and did aid and abet the communication of a False Distress Message to the U.S. Coast Guard,

1 in violation Title 14, United States Code, Section 521(c) and Title 18, United States
2 Code, Section 2.

3 **III. SUMMARY OF INVESTIGATION**

4 4. On December 18, 2019, RYEN ETHAN BELL falsely reported to the Port
5 Townsend Police Department that his cousin and Soldier in the United States Army,
6 DEVIN MITCHELL SCHMIDT was missing and possibly dead by suicide. BELL
7 reported to police that he received a suicide video from SCHMIDT, which appeared to
8 be recorded from Fort Worden Historical State Park (Fort Worden) in Port Townsend,
9 Washington, earlier that day. BELL also provided the police with a text message he
10 received from SCHMIDT at approximately 1:15 p.m. The message was a self-filmed
11 suicide video of SCHMIDT saying goodbye to his family and informing them that he
12 would soon be deceased.

13 5. BELL's report to authorities resulted in an extensive search for SCHMIDT
14 by the Port Townsend Police, Jefferson County Sherriff's Office, U.S. Army personnel,
15 and the United States Coast Guard. The United States Coast Guard expended
16 approximately \$172,361.50 in resources, to include marine vessels, helicopters, and
17 drones to attempt to locate SCHMIDT.

18 6. On the afternoon of December 19, 2019, the police determined that BELL
19 had made false statements about the whereabouts of SCHMIDT, that SCHMIDT had
20 faked his suicide, and discovered SCHMIDT alive. BELL and SCHMIDT each
21 voluntarily admitted to police that they agreed to falsely report the suicide on December
22 18, 2019, at Fort Worden cliffs to evade military charges, causing the Coast Guard to
23 conduct an extensive search for SCHMIDT. Pertinent statements by witnesses
24 interviewed are further summarized below.

25 7. RYEN ETHAN BELL is a 21-year-old male and his last known residence
26 was in Bonney Lake, Washington.

27 8. DEVIN MITCHELL SCHMIDT is a 20-year-old male who was previously
28 in the U.S. Army with the rank of Private (E-1), and was stationed at Joint Base Lewis

1 McChord (JBLM), Washington. He was charged under the Uniform Code of Military
2 Justice but agreed to an Other than Honorable Discharge in exchange for being
3 administratively separated from the military without a criminal conviction, effective
4 March 27, 2020. He is currently believed to be residing with his family in Washington.

5 **A. *Agreement and Concealment***

6 9. During the day of December 17, 2019, SCHMIDT and BELL travelled to
7 their grandparents' home. SCHMIDT and BELL are first-cousins. SCHMIDT claims
8 BELL's residence in Bonney Lake, Washington, as his current mailing address, as
9 SCHMIDT is reportedly estranged from his biological parents who reside in Port
10 Townsend, Washington. After leaving their grandparents' home, SCHMIDT and BELL
11 went to their friend Samuel Gold's house in Puyallup, Washington. There, SCHMIDT
12 told BELL his plan to fake his own death and travel to Mexico to avoid returning to the
13 military. BELL agreed to assist SCHMIDT in his plan to falsely report or cause the false
14 reporting of SCHMIDT's death to law enforcement including the U.S. Coast Guard.

15 10. On December 18, 2019, pursuant to the plan, SCHMIDT failed to report for
16 military duty at 6:30 a.m. on JBLM. Instead, SCHMIDT snuck into BELL's home that
17 he shared with his mother, Bambi Bell, in Bonney Lake, Washington. BELL was aware
18 SCHMIDT was in the home, but both were careful to conceal SCHMIDT's presence
19 from BELL's mother.

20 11. BELL and his mother then separately departed the residence. SCHMIDT
21 called BELL at 9:15 a.m. to request \$150.00. Once he received the money, SCHMIDT
22 then hired an Uber driver to transport him from BELL's home to Fort Worden, which
23 totaled \$144.66 for the trip. SCHMIDT arrived at Fort Worden at 9:31 a.m. and filmed a
24 video of himself using his cell phone. In the video, SCHMIDT stated:

25 "I guess if you're watching this, I'm no longer alive. I can't... I haven't
26 been living the life I wanted to live. I've been too depressed lately. I just
27 felt lost. I just want you guys to know I love all of you. I know you guys
28 won't forget about me. Don't tear your own lives apart for it. Sorry.
While I'm gone I want somebody to watch over my brother. And Ryan, I

1 want you to go to all the places I wanted to go, and leave a memory for me
2 there. Love you guys.”

3 SCHMIDT sent the video via text message to BELL at 1:15 p.m.

4 12. BELL received and watched the video. Knowing SCHMIDT was alive and
5 not the victim of suicide, BELL notified his ex-girlfriend, Hallie Lubahn, of the alleged
6 suicide without revealing the hoax to her. BELL and Lubahn drove to Fort Worden
7 under the auspices of searching for SCHMIDT. BELL found SCHMIDT’s Army dog
8 tags, unlocked cell phone, and cell phone charger on a bluff above a cliff at Fort Worden.
9 The cliff was approximately 100-150 feet high and dropped into a small area of eroded
10 land before dropping into Puget Sound. The amount of eroded land varies depending on
11 the tides.



1 13. BELL then notified SCHMIDT's parents of the alleged suicide while
2 knowing SCHMIDT was alive and knowing SCHMIDT's parents would report the false
3 distress message to law enforcement, including the U.S. Coast Guard. BELL also knew
4 his false report to SCHMIDT's parents would cause law enforcement, including the U.S.
5 Coast Guard to attempt to save SCHMIDT's life, when no help was needed because
6 SCHMIDT had faked his death by suicide.

7 14. BELL's mother, Bambi Bell, called 911 emergency dispatch at 4:58 p.m.,
8 after BELL told her that he received the suicide video from SCHMIDT. BELL then went
9 to the Port Townsend Police Office at his mother's direction.

10 15. Officer Troy Surber of the Port Townsend Police Office took BELL's
11 missing person report at 5:40 p.m. BELL gave a verbal and written statement detailing
12 the suicide video and the discovery of SCHMIDT's items above the cliff at Fort Worden
13 in an attempt to mislead law enforcement about SCHMIDT's death. BELL told Officer
14 Surber that he and H.L. had searched the area for SCHMIDT without success, including
15 the cliff area at Fort Worden.

16 16. On the evening of December 18, 2019, Officer Surber contacted Jefferson
17 County Sherriff's Office and requested assistance with the search. Law enforcement
18 organized search teams and began a search plan, but determined the search would have to
19 begin the following morning due to severe weather in the area and darkness. Based on
20 the location where SCHMIDT was believed to have committed suicide by jumping from
21 the cliff into the water below, Jefferson County notified the U.S. Coast Guard.

22 **B. *The Search***

23 17. At approximately 6:32 a.m., on December 19, 2019, U.S. Coast Guard
24 Sector Puget Sound received a request from the Jefferson County Sheriff's Office to
25 support a multi-agency Search and Rescue effort for SCHMIDT, which focused on the
26 land and sea area surrounding Fort Worden, Port Townsend.

27 18. Coast Guard Search and Rescue efforts continued for approximately 10
28 hours until the search was terminated at 4:00 p.m. on December 19, 2019. Responding

assets included a Coast Guard H-65 and U.S Navy H-60 helicopters, two Coast Guard 87' Patrol Boats (WPB), and a Coast Guard 45' Response Boat Medium (RBM). Weather conditions during the 10 hours of CG response were poor for both maritime and air assets; the National Weather Service reported moderate to heavy precipitation, with wind gusts from 20-40 MPH, and low visibility. Ultimately, the Coast Guard expended approximately \$172,035.00 (including \$46,626.00 in U.S. Navy maritime assets) searching for SCHMIDT, prior to search termination.

C. *Witness Interviews and Discovery of SCHMIDT*

19. At 4:00 p.m., the Search and Rescue team gave a post-search debrief to the SCHMIDT and BELL families, to include SCHMIDT's biological parents, at Fort Worden, which included information about SCHMIDT's last known movements via Uber. During that debriefing, Bambi Bell notified police that BELL told her conflicting information about SCHMIDT's Uber trip on the morning of December 18, 2019.

20. Bambi Bell revealed she was now suspicious of BELL after he had reported SCHMIDT missing to her at approximately 9:14 a.m. on December 18, 2019, four hours before the suicide video was sent to BELL by SCHMIDT. Bambi Bell suspected that SCHMIDT had been at her residence on the morning of December 2019, but BELL continued to deny SCHMIDT had been present. Bambi Bell told police SCHMIDT previously asked her about what she would do if SCHMIDT went "AWOL," a military term used to describe Absent Without Leave.

21. A police interview of Casey Crawford, a friend of BELL and SCHMIDT, revealed that during the search effort, BELL showed Crawford a Facebook Messenger communication on his cell phone from a "Jake Elbstein." The message requested BELL meet him at 6:00 p.m., on December 19, 2019, at a McDonald's restaurant in Port Townsend. After showing Crawford the communication, BELL said, "[t]his must be first contact." Crawford believed the communication was from SCHMIDT, and that the name "Jake Elbstein" was fictitious. Crawford stated he initially viewed SCHMIDT's "suicide video" on the evening of December 18, 2019, after BELL had forwarded the video to

1 Samuel Gold, with the instructions to only show Crawford the video. Crawford stated
2 that BELL specifically told Crawford and Gold not to help in the search effort for
3 SCHMIDT. Crawford stated that he, SCHMIDT, BELL, and Gold had previously
4 discussed faking their deaths to allow SCHMIDT and Gold to leave the U.S. Army so
5 they could travel to Mexico to “fight cartels” as “freelance fighters.”

6 22. Based on the information obtained from Crawford, police seized BELL’s
7 cell phone as evidence and set up a surveillance at the McDonald’s restaurant in Port
8 Townsend. At approximately 5:55 p.m., SCHMIDT arrived at the McDonald’s restaurant
9 and was taken into custody. BELL was also taken into custody.

10 **D. SCHMIDT and BELL Admissions**

11 23. During a *Mirandized* interview, SCHMIDT acknowledged that he was
12 aware of the search efforts, stating that he “couldn’t take it off my fucking mind while I
13 was out there.” SCHMIDT spent the night of December 18, 2019, in a portable restroom
14 at the Haines Place Park and Ride in Port Townsend, Washington. On the morning of
15 December 19, 2019, SCHMIDT admitted to sneaking into his mother’s residence in Port
16 Townsend, Washington, and using her computer to create a fictitious Facebook account
17 under the name “Jake Elbstein.” At 3:00 p.m. on 19 December, 2019, SCHMIDT sent
18 BELL the message to meet at 6:00 p.m. at the McDonald’s restaurant in Port Townsend.
19 SCHMIDT stated that he immediately deleted the fictitious Facebook account after
20 sending BELL the message. SCHMIDT admitted that BELL had agreed to assist with
21 the plan to fake SCHMIDT’s death and report or cause the false report to law
22 enforcement including the U.S. Coast Guard. SCHMIDT called this initial suicide hoax
23 “phase one” of his plan to evade military authority and travel to Mexico.

24 24. During a *Mirandized* interview, BELL admitted to having prior knowledge
25 of SCHMIDT’s plan to fake his own death and “disappear.” BELL stated that
26 SCHMIDT “dropped” it on him on December 17, 2019. BELL stated that he went along
27 with the plan because he is a loyal lifelong friend and he knew that SCHMIDT was going
28 to do it with or without him. BELL admitted that he continued to help the U.S. Coast

1 Guard and authorities search for SCHMIDT knowing he would not be found. BELL
2 believed that they had successfully misled authorities until Bambi Bell notified police of
3 her suspicions.

4 **IV. CONCLUSION**

5 25. Based on the aforementioned facts, I believe probable cause exists that
6 Ryen BELL and Devin SCHMIDT committed the crimes of knowingly and unlawfully
7 communicating, and aiding and abetting the communication of, a false distress message
8 to the United States Coast Guard and cause the United States Coast Guard to attempt to
9 save lives, when no help was needed, by faking the death by suicide of DEVIN
10 MITCHELL SCHMIDT.

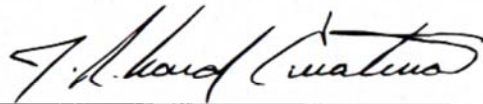
11 All in violation Title 14, United States Code, Section 521(c) and Title 18, United
12 States Code, Section 2.

13 DATED this 31ST day of March, 2020.



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17 Evan Sanborn, Complainant
Special Agent, CGIS

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20 Based on the above-named Complainant having provided a sworn statement
21 attesting to the truth of the foregoing Affidavit this 1 day of April, 2020, the Court
22 hereby finds that there is probable cause to believe the Defendants committed the offense
23 set forth in the Complaint.



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26 HON. J. Richard Creatura
27 United States Magistrate Judge
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