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Deadly oversight prompts probe; Sheriff acknowledges 'mix-up' in Spicknall restraining order

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The Howard County sheriff is investigating whether the mistake that allowed Richard Wayne Spicknall to obtain a handgun -- despite a domestic violence restraining order -- is indicative of a larger problem with the way his office handles judicial restraining orders.

Sheriff Charles M. Cave acknowledged yesterday that "there was a mix-up" in his office, and the restraining order against Spicknall issued Dec. 2 in Howard County Circuit Court was "inadvertently removed" from computer records in January.

Spicknall -- charged with murder in the shooting deaths of his two young children last week -- applied to purchase a 9 mm Smith & Wesson handgun Aug 18, without checking the box on the form indicating whether he had been served with a restraining order in the past year.

Application forms are sent to the state police for a background check of gun purchasers during a seven-day waiting period. Spicknall picked up the gun Sept. 2 without an objection being raised through the background check.

"The state police rely on us," Cave said. "I just don't know what happened."

The gun -- which police say may have been used in the killings of Destiny Spicknall, 3, and Ritchie Spicknall, 2 -- has not been found. State police divers suspended their search in the Choptank River yesterday for the gun. They are expected to resume the effort tomorrow, state police said.

Spicknall, 27, was issued the restraining order by Judge Diane O. Leasure, which provided for his visitation with the children. Spicknall agreed to pick up and drop off the children at a neutral site.

Leasure said yesterday there was no allegation of abuse against the children presented at the hearing -- only complaints of shoving and outbursts directed at his wife, Lisa Fields Spicknall, 25, of Baltimore's Curtis Bay.

"I feel like everyone else in the state," said the judge, who had ordered Spicknall to attend anger-management classes. "It is a tragedy, so unfortunate and sad."

The sheriff's office is responsible for serving warrants and logging court-issued restraining orders into the state police database. Cave said he is "positive" Spicknall was made aware of the restraining order.

Mike Campbell, a spokesman for the federal Bureau of Alcohol, Tobacco and Firearms, said yesterday that his agency is looking into tightening the requirements for logging restraining orders and histories of mental illness -- two areas that do not always show up in federal and state criminal justice computer systems.

Spicknall bought his gun at the A1 Pawn Shop in College Park, whose manager, John Lewis, recalled yesterday that Spicknall wanted the weapon "for home protection." He had quit his job at ESPN Zone at Baltimore's Inner Harbor the week before and said he wanted to spend time at a gun range, Lewis added.

"You can only go by what a person says on his application," Lewis said.

When Spicknall picked up the gun on Sept. 2, Lewis recalled, he said he was "going to try his weapon out on the range" with his father.

Friends of the Spicknall family say that the father and son were close. Spicknall's father is a retired Baltimore police officer. His parents often attended their son's sporting events at the old Brooklyn Park High School.

Spicknall, who went by his middle name then, excelled in football and track all four years at Brooklyn Park. He was president of his sophomore and junior classes and did charity work.

In his senior yearbook, Spicknall wrote that his ambition was "to attend college, major in architecture design, have my own beach house to live in happily ever after"

He married Lisa Fields in 1995, five years after graduating from high school.

The Rev. Rick Andrews, the pastor of Brooklyn United Methodist Church who performed the ceremony and later baptized both children, recalled the bride and groom yesterday as "a normal, if not extraordinary young couple."

Andrews will conduct funeral services for the children, planned for 11 a.m. Tuesday at the McCully-Polyniak Funeral Home, 3204 Mountain Road in Pasadena. Visiting hours there are 3 p.m. to 5 p.m. and 7 p.m. to 9 p.m. on Monday.

Both sides of the family have pulled together in the wake of the tragedy, Andrews said.

As Lisa Fields Spicknall spent yesterday morning planning the funeral of her two young children, friends and family members said she had been invited to join her estranged husband last week on what was to have been a trip to Ocean City with their children. She refused to join him.

She reluctantly let her son and daughter travel with their father because they would be meeting his parents at the ocean resort, a

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family friend said.

Spicknall picked up the children Wednesday evening. They were found shot the next morning at a construction site after Spicknall called police from a pay phone. He said that he had been forced out of the vehicle by a hitchhiker in a gunpoint carjacking and thrown over the side of the Frederick C. Malkus Jr. Bridge into the Choptank River.

The children had been shot at point-blank range as they sat strapped in child-safety seats in the back of his mother's Jeep Wrangler, police said yesterday. Ritchie was dead at the scene, and Destiny died Friday.

A fund to pay for funeral and hospital expenses has been established. Donations may be sent to Destiny and Ritchie Spicknall, c/o Provident Bank of Maryland, 7400-L Ritchie Highway, Glen Burnie 21061.

Sun staff writer Chris Guy contributed to this article.

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