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DEADLY FORCE REVIEW PANEL
6 STATE HOUSE STATION · AUGUSTA, MAINE 04333

December 2, 2025

Hon. Anne M. Carney, Senate Chair
Hon. Amy D. Kuhn, House Chair Joint
Standing Committee on Judiciary 100
State House Station
Augusta, ME 04333

Dear Sen. Carney, Rep. Kuhn, and Members of the Committee on Judiciary:

The Deadly Force Review Panel completed two reviews of law enforcement officers' use of deadly force. Under Title 5, section 200(K)(7), "within 30 days of the conclusion of the examination of the use of deadly force by a law enforcement officer . . . the panel shall submit a report on the panel's activities, conclusions, and recommendations about the incident to the joint standing committee of the Legislature having jurisdiction over judiciary matters." The reports are enclosed.

The Panel examined the January 21, 2024, incident in Augusta (#46) and the November 30, 2024, incident in Westbrook (#60), the details of which are included in the Panel's enclosed reports. The review of the Westbrook incident was taken out of order to timely address concerns raised by the Westbrook Chief of Police.

For the Deadly Force Review Panel:

Fernand Larochelle, Chair
Stephen Burlock, Vice Chair

Enclosures

cc:
Criminal Justice & Public Safety Committee
Health & Human Services Committee

January 21, 2024 – Augusta Use of Deadly Force Incident

As required by 5 M.R.S. § 200-K, the Maine Deadly Force Review Panel submits the following report of the use of deadly force incident in Augusta on January 21, 2024, involving Sgt. Derek Daley, Officers Matthew Gurney and Jonathan Young of the Augusta Police Department, and Officer Ryan Frost of Capitol Police, resulting in the death of Liban Mohamed, age 23. By statute, after the release of the report of the Attorney General, the Panel shall examine deaths or serious injuries resulting from the use of deadly force by a law enforcement officer. The purpose of the examination is to find independently whether there was compliance with accepted and best practices under the circumstances or whether the practices require adjustment or improvement. The Panel may recommend methods to improve standards, including changes to statutes, rules, training, and policies and procedures, to ensure best practices that promote increased public and officer safety. It should be noted that the Panel's "Observations" are case-specific bullet points that have been pulled directly from the incident case file and are primarily intended to highlight key pieces of information. The Panel's "Recommendations" should be viewed as potential system-level issues that agencies should consider during future critical incidents. The Panel is not charged with undertaking a *de novo* review of the Attorney General's determination regarding the legality of the use of deadly force by law enforcement; discussions and recommendations of the Panel are independent of the Attorney General.

Synopsis

Shortly after 11 p.m. on Sunday, January 21, 2024, a resident of an apartment building on Northern Avenue in Augusta called 911. He reported that a "Black man" armed with a pistol had broken into his apartment and was preventing his girlfriend from leaving. The caller said he jumped out a window when the intruder went into the bathroom. Four Augusta police officers and a Capitol police officer responded to the call. Officers located the apartment door at an exterior third-floor balcony, announced themselves, and ordered the occupants to come out. Eventually, the resident's girlfriend came out of the apartment, saying the intruder was still inside. The intruder, later identified as Liban Mohamed, was then seen by officers at a third-floor window. Officers ordered him to show his hands, but he did not respond. He temporarily disappeared from view, but an officer heard him "rack" a gun and saw him return to the window. Mr. Mohamed fired at least one shot at the officers, hitting the pavement between two of them. One officer returned fire. Mr. Mohamed then started shooting from a doorway at two other officers and the caller's girlfriend. Both officers and a third officer returned fire. Mr. Mohamed retreated into the apartment and was seen in the living room window. An officer fired several shots at him. Later, Mr. Mohamed was found dead at the living room window with a black handgun on the floor next to him.

Information the Panel Reviewed

Before its meeting, the Panel members received the investigative material compiled by the Attorney General. The material consisted of all the original investigative data, including interview recordings, reports, forensic reports, photographs, emergency communications, video recordings,

and other relevant materials. The Panel also reviewed the Attorney General's July 24, 2024, report and the internal investigation report of the Augusta Police Department, dated March 24, 2024.

Panel Discussion

On October 23 and November 25, 2025, the Panel convened via Zoom to review the referenced incident. Several issues were discussed. Discussions covered various issues, including the need for further investigation into how the suspect, a convicted felon, obtained the handgun used to shoot at the police; the suspect's mental health history; the toxicology findings showing amphetamine and THC; the thoroughness of the IRT review, which did not include the Capitol Police; safety concerns for the female victim and whether she was offered adequate post-incident services; the safety of other residents in the apartment, especially since one bullet penetrated an adjacent apartment wall that was occupied at the time; the absence of body cam footage; an officer's extensive use of profanity during a post-incident interview; and other related topics. Panel member Joshua Daley abstained from all discussion of this incident in that Sgt. Derek Daley is his brother.

Observations

1. The investigation did not address how the suspect, a prohibited person, acquired possession of the Taurus 9 mm handgun, which he used to exchange gunfire with the police.
2. The Panel felt that the IRT report was well-detailed, but lacked any apparent involvement of the Capitol Police.
3. It is not clear from the investigative reporting as to what happened with the girlfriend who was instructed by the police to move down the exterior steps and was observed entering a neighbor's apartment. Was she offered any post-incident services?
4. During the exchange of gunfire with the suspect, a bullet entered an adjacent apartment, which was occupied at the time by two tenants, one of whom was in bed and the other using a nearby bathroom.
5. During the post-incident interviews by the Attorney General's office, one of the involved officers used profanity during his recount of events.

Recommendations

1. In those situations involving a suspect who is a convicted felon and prohibited person, the Panel encourages law enforcement to determine, if possible, from whom the firearm was acquired and whether that individual who may have gifted, sold, or otherwise transferred the firearm to the suspect is subject to prosecution under state or federal law.
2. As noted in previous reports, the Panel recommends that all law enforcement agencies involved in a deadly force incident jointly perform the required internal review.

3. The Panel recommends that future Internal Review Team reports identify what post-incident follow-up support and services were offered to victims. Measures should be in place for victims to address the trauma associated with the incident.
4. Although the circumstances of this incident did not allow for the evacuation of the other residents housed at the apartment complex, the Panel has previously observed that shooting in the direction of a residential building should be conducted with all reasonable measures and avoided whenever possible;
5. Recognizing that involved officers providing post-incident interviews are understandably stressed, likely fatigued, and traumatized, the Panel encourages law enforcement officers to be mindful of the language they use, except when accurately describing conversations or statements made during interactions with the suspect. These post-incident interviews become part of the case record and will follow the involved agency and officer as the case progresses.

Factual Summary

On January 21, 2024, at around 11:04 p.m., a 911 caller reported that he had just fled his apartment on Northern Avenue in Augusta after a “Black man” armed with a pistol broke in. He said his girlfriend was still inside and he believed she was being held hostage. Sgt. Derek Daley and Officers Jonathan Young and Mathew Gurney were assigned to the call, later joined by Officer Andrew Frost from Augusta and Capitol Police Officer Ryan Frost. Officers Gurney and Young, each in separate cruisers, arrived around 11:09 p.m., parking on the south side of the apartment building on Northern Avenue. Officer Gurney retrieved his patrol rifle. Both officers then approached the residence on foot. Gurney, familiar with the location and interior from previous calls, knew the lights were on inside. The officers climbed an exterior staircase to a third-floor balcony that leads to four apartments. Gurney knew from his knowledge of the layout that someone with a gun could easily shoot the officers through the door, so they did not knock. The officers learned the name of the 911 caller’s girlfriend from dispatch and started giving verbal commands for her to come outside.

Sgt. Daley arrived around 11:12 p.m. and parked north of the apartment building. He was familiar with the apartment from previous calls. He joined the other officers on the balcony. The officers continued to issue verbal commands for the girlfriend to come out of the apartment, and they ordered anyone else inside to come out with their hands up. Officer Andrew Frost arrived around 11:17 p.m. and assumed a perimeter position near the sidewalk in front of the building. Sgt. Daley radioed him, asking him to retrieve his patrol rifle from his cruiser and bring it to him. Officer Frost went to Sgt. Daley’s cruiser, retrieved the rifle, and began walking back toward the building just as Capitol Police Officer Ryan Frost arrived. The girlfriend eventually exited the apartment, initially stating she didn’t know if anyone else was inside, but she later confirmed there was a man inside. About this time, all officers heard glass breaking on the building’s northern side. Officer Andrew Frost, who was carrying his own rifle and Sgt. Daley’s, saw debris falling from a third-floor window. He looked up and saw a man’s arm and leg emerging from the window. The man was later identified as Liban Mohamed. Officer Frost dropped Sgt. Daley’s rifle on the ground,

aimed his rifle at the man in the window, shouted “police department,” and repeatedly ordered the man to show his hands.

The officers on the balcony ran down to the sidewalk. Officer Gurney saw Mr. Mohamed in the window and yelled for him to show his hands. Officer Young saw Mr. Mohamed hanging out the window. Officer Frost saw Mr. Mohamed’s head sticking out of the window. All the officers heard Mr. Mohamed repeatedly ask, roughly, “What did I do?” Mr. Mohamed did not follow commands to show his hands. Later investigation revealed Mr. Mohamed on police video saying repeatedly, “What did I do, fuck you, what did I do?” Mr. Mohamed turned away from the window and disappeared from view. Sgt. Daley and Officer Young ran back up to the third-floor balcony, where the girlfriend was outside the apartment. Officer Gurney heard what he described as a sound consistent with a gun being “racked,” meaning a manual loading of a firearm when a bullet is fed from the magazine into the chamber. He alerted the other officers that Mr. Mohamed had a gun. Then he heard a second “rack,” like a bullet being misfed into the chamber. Officers Gurney, Andrew Frost, and Ryan Frost stood on or near the sidewalk on the northern side of the building. Officer Andrew Frost saw Mr. Mohamed at the same window, pointing a gun at the officers. Mr. Mohamed fired at least one shot from the window, which hit the ground between Officers Andrew Frost and Ryan Frost. Officer Ryan Frost fired several rounds from his handgun at the window, saw a muzzle flash from another window, believed Mr. Mohamed was shooting at the officers again, and responded with fire.

Sgt. Daley and Officer Young were on the third-floor balcony with the girlfriend. When they heard shots being fired, they took cover for themselves and the girlfriend. Both officers then saw Mr. Mohamed in the apartment doorway, partially hidden behind the door frame, and pointing a handgun at them. Mr. Mohamed began shooting at the officers from the doorway. Sgt. Daley and Officer Young fired several rounds from their handguns at Mr. Mohamed. While gunfire continued, Officer Gurney illuminated the doorway with his rifle-mounted flashlight and shot at the doorframe, where he believed Mr. Mohamed was standing. He could only see Mr. Mohamed’s arm extending out of the door. After firing, Mr. Mohamed’s arm went out of view. Officer Gurney then saw movement in the apartment’s living room window and heard additional gunfire from inside. He confirmed that Sgt. Daley and Officer Young remained on the balcony and fired at Mr. Mohamed again. Gurney then heard a window break and saw Mr. Mohamed’s hand holding a firearm in the living room window. He fired shots through the wall where he believed Mr. Mohamed was located. Eventually, all gunfire stopped.

The officers instructed the girlfriend to move down the stairs with them, and the girlfriend went into a neighbor’s apartment.

Officers were unsure whether Mr. Any gunfire had hit Mohamed. Additional officers from Augusta were called in, and assistance was requested from the Kennebec County Sheriff’s Office and the State Police. The State Police Tactical Team responded and ultimately took control of the scene. A search warrant was obtained, and the Tactical Team deployed a robot into the apartment. Mr. Mohamed was found dead on the floor in the living room, with a handgun next to him.

A later postmortem examination by the Office of the Chief Medical Examiner determined Mr. Mohamed’s cause of death to be multiple gunshot wounds. Major findings included a gunshot wound to the right hand, a gunshot wound to the left arm that extended into the torso and caused

injury to the ribs, heart, and lungs, and a gunshot wound to the neck with injury to the skull and brain. Projectiles were recovered from two of these injuries. Toxicological results indicated the presence of amphetamine and THC in his blood. Amphetamine is a central nervous system stimulant and a metabolite of methamphetamine. THC is the primary psychoactive ingredient in marijuana.

Liban Mohamed Background Information

(The officers involved in this incident were unaware of any of this background information.)

Mr. Mohamed had several previous contacts with law enforcement in Maine, mainly with the Lewiston Police Department. He was born in California and was last identified as a “transient.” He had no prior dealings with the Augusta Police Department. Mr. Mohamed had been arrested multiple times and had several criminal convictions, including a felony for robbery. As a juvenile, Mr. Mohamed faced criminal charges 14 times between 2013 and 2018. Records from the Lewiston and Auburn Police Departments showed multiple juvenile arrests for theft, trespassing, and assault. He was marked in police databases as a “caution” and had communicated a threat to bring a gun to a school in Auburn in 2015. He was not charged for this threat. It was also noted that he was diagnosed with oppositional defiance disorder, depression, and a mood disorder, and was prone to outbursts. Mr. Mohamed had several non-criminal juvenile interactions with the Lewiston Police Department related to domestic issues, curfew violations, and behavioral problems with family members. Lewiston Police reports show that his mother was often involved, and she did not speak English.

The Brunswick Police Department handled two juvenile cases in which Mr. Mohamed was charged with assault. In both instances, he was a resident of the Spurwink Program in Brunswick and was accused of assaulting a staff member in one case and another resident in the other. In both cases, Mr. Mohamed was taken to the hospital for mental health evaluations after making threats to kill staff, students, and himself. Medical records from after Mr. Mohamed’s emergency department evaluations, referenced by Brunswick PD and dated in 2018, showed that he had a diagnostic history of oppositional defiant disorder. His past medical history in the same records noted issues related to anger, a history of behavioral and mental health problems, and “mental disorder.” Other records from 2018 described a clinical impression of “adjustment disorder with mixed disturbance of emotions and conduct, outbursts of explosive behavior,” and “oppositional defiant disorder.”

The Lewiston Police Department arrested Mr. Mohamed three times as an adult. On September 11, 2020, he was charged with robbery, theft, and violating the conditions of release. He and three others robbed a marijuana store in Lewiston and assaulted the female clerk. He was convicted and sentenced on June 11, 2021, to four years in prison, with all but one year suspended, plus three years of probation. Mr. Mohamed violated probation three times. The first probation revocation was on September 28, 2021, for 45 days; the second was on March 24, 2022, for nine months and one day; and the third was on August 31, 2023, for 12 months. At the time of a deadly force event in Augusta, there was an active warrant charging Mr. Mohamed with probation revocation.

Panel Members

Fernand LaRochelle, Chair

Stephen Burlock, Esq., Assistant District Attorney (Retired), Vice Chair/Secretary

Michael Alpert, Greater Bangor Area Branch NAACP

John Chapman, Esq.

Jack Clements, Chief of Police, Saco

Sandra Slemmer, designee of Alice J. Briones, D.O., Chief Medical Examiner

Anna Love, Chief, Attorney General Investigations

Joel Merry, Sheriff, Sagadahoc County

Joshua Daley, designee of Lincoln Ryder, Director, Maine Criminal Justice Academy

Michael Sauschuck, Commissioner, Department of Public Safety

Benjamin Strick, Vice President of Adult Behavioral Health, Spurwink

Note: The individuals serving on the Panel are appointed to apply their professional expertise to discussions of these complex cases. Therefore, members of the Panel may be familiar with or have contact with individuals involved in the case under review. In such cases, members must report these affiliations to the Panel, and this information is recorded in the meeting minutes. If panel members determine they have a conflict of interest, they are excused from voting on the panel's findings and recommendations for that case.