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

May 10, 2024

The Hon. Anne M. Carney, Senate Chair
The Hon. Matthew W. Moonen, House Chair
Joint Standing Committee on Judiciary
100 State House Station
Augusta, ME 04333

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

The Deadly Force Review Panel completed its 30th examination of a law enforcement officer's 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 report is enclosed.

The Panel examined the April 14, 2021 incident in Mars Hill, the details of which are part of the Panel's enclosed report.

For the Deadly Force Review Panel:

Fernand Larochelle, Chair
Stephen Burlock, Vice Chair

Enclosure

April 14, 2021 – Mars Hill 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 Mars Hill on April 14, 2021, involving Deputy Isaac Ward of the Aroostook County Sheriff's Office, which resulted in the death of Jacob Wood, 28.

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 improving standards, including changes to statutes, rules, training, and policies and procedures designed to ensure best practices that increase public and officer safety. 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

In the early morning of April 14, 2021, two Aroostook County deputy sheriffs, including Isaac Ward, responded separately to a 911 call at an apartment complex in Mars Hill. Upon arrival, they saw a man and a woman outside in front of an apartment. They saw the man, later identified as Jacob Wood, grab the woman, and hold a knife to her throat. Both deputies commanded Mr. Wood to release the woman, but he refused to comply. Deputy Ward fired two rounds. One struck and killed Mr. Wood. The second round grazed the woman between her left breast and arm and exited the rear left side of her body.

Information the Panel Reviewed

Before its review, the Panel received a complete copy of the investigative materials compiled by the Attorney General's Office. The materials consisted of all the original investigative data, including interview recordings and reports, cruiser camera video footage and building surveillance videos, forensic reports, photographs, emergency communications, and other materials. The Panel also reviewed the Attorney General's January 27, 2023, report and the Aroostook County Sheriff's Incident Review Team report dated June 22, 2021.

Panel Discussion

On January 25, 2023, the Panel met via Zoom and reviewed the referenced incident.

Observations

1. Police arrived at the scene and observed a male, apparently under the influence of substances, holding a knife at the throat of a hostage and threatening her with injury or death.

2. Given what was plainly evident to the officers upon their arrival, they acted appropriately in response to the imminent threat of unlawful deadly force presented by Mr. Wood against the hostage he was holding at knifepoint.
3. There may have been a missed opportunity in that the officers did not discuss having Dispatch call Wood before they arrived at the scene to talk more with him. However, it was pointed out that officers need control before making such a call; otherwise, it can give the suspect a chance to do something worse.
4. Five separate commands were given to release the woman, but there was no affirmative movement or response from Mr. Wood. At that point, Deputy Ward fired at Mr. Wood in an attempt to neutralize the imminent threat of death or serious bodily injury. Deputy Ward likely saved the life of the hostage.
5. An ambulance was staged nearby before the shooting, and the hostage was treated for her physical injuries, so reasonable measures were taken at the scene. However, the record is devoid of what, if anything, she was offered as follow-up for self-identified mental health/substance use issues and trauma suffered during this situation. This type of follow-up is essential and should be addressed.
6. The Panel notes that the Aroostook County Sheriff's Department completed an internal review on June 22, 2021. The only facts referenced in the Internal Review Team (IRT) report were those in a 30-minute timeline, referring the reader to the entire case file for more information. This resulted in a lack of clarity as to the facts relied upon for the conclusions made by the IRT committee. The IRT noted five relevant policies and stated that all policies were clear, effective, and understandable. Still, the report did not reference the particular facts or analysis of how the facts supported the application of the policies to determine their effectiveness. The IRT recommended the purchase of a red dot magnifier and cruiser camera. The Panel commends the IRT for suggesting that the critical incident policies be reviewed annually and that officers adhere to the audio-video recording equipment policy.

Recommendations

1. Measures should be in place for a victim to be offered follow-up for issues that, in this case, included a need for self-identified mental health and substance use disorder services, as well as services to address the trauma associated with the incident. The Panel is concerned that there may be inadequate post-incident liaison services for victims like this hostage and observed that the Investigation Division of the Attorney General's Office would greatly benefit from adding a victim witness advocate as a staff member.
2. This is the second case reviewed by the panel in which a hostage was struck during the use of deadly force. The firearms training and situational use of force protocol should be reviewed at the Maine Criminal Justice Academy level to determine if it still follows national/industry best practices with a special focus on hostage situations.
3. The panel believes that feedback from the departments whose incidents are reviewed is essential for that department and agencies statewide since learning and improvement are collaborative.

Therefore, the Panel requests that within 90 days of receipt of a Panel report, each involved department respond in writing to the Panel, detailing any questions, concerns, and corrective actions taken in response to the observations and recommendations noted in the Panel's report.

Timeline and Details

On April 13, 2021, Jacob Wood asked a woman acquaintance if he could visit her in her Mars Hill apartment. Mr. Wood arrived at the apartment around 2 p.m. The woman later told investigators that Mr. Wood was "high on something." Mr. Wood drank whiskey and smoked what the woman described as a meth pipe, while the woman smoked marijuana and drank shots of whiskey in combination with three prescription drugs. She said that although she had multiple drugs in her system, she was fully aware of what was going on around her. She said that she had mental health issues and that Mr. Wood suffered from schizoaffective disorder and suicidal ideations.

According to the woman, she and Mr. Wood engaged in consensual sex during the evening. Later, the woman was upstairs in the apartment when she heard Mr. Wood yelling downstairs. She found that Mr. Wood had stabbed himself in the leg and was gouging the wound with a knife and further cutting himself. Mr. Wood became infuriated when the woman attempted to stop his bleeding. The more she tried to calm Mr. Wood, the angrier he became. The woman started to cut herself to "release pain."

At 2:56 a.m. on April 14th, Mr. Wood called 911. The call lasted a little over ten minutes before Mr. Wood ended it. During the call, Mr. Wood said that he had a hostage, that he had a hole in his leg, and that he was bleeding out. Mr. Wood said that he would do everything he could to ensure he was dead in the end. He told the dispatcher that he was not a person anymore. Mr. Wood said that he had a knife in his hand and had more weapons. He said that he had taken drugs and consumed alcohol and that it brought the truth out. He said that he had a "schizophrenic mind." Before the call disconnected, Mr. Wood asked what it was he must do to get shot. Before the call ended, three people, later identified as Mr. Wood, the woman he was visiting, and a neighbor, can be heard arguing about Mr. Wood wanting to die.

Deputy Ward and another deputy, contacted by the dispatcher at their homes, reported being on their way to Mars Hill at 3:10 a.m. and 3:11 a.m., respectively. At 3:22 a.m., an ambulance was staged nearby. At 3:24 a.m., Deputy Ward arrived and waited for the second deputy's arrival at 3:25 a.m. With Deputy Ward in the lead, both deputies drove to the apartment building. As Deputy Ward approached the apartment complex, he saw lights on outside and a man and a woman sitting beside one another. Deputy Ward drove onto the lawn facing the apartment complex to illuminate the front of the building.

Mr. Wood, shirtless and covered with blood, pulled the woman up from a seated position and held a knife to her throat. Deputy Ward drew his service pistol, exited his cruiser, and yelled for Mr. Wood to show his hands. When Mr. Wood failed to comply, Deputy Ward holstered his pistol and retrieved a rifle from his cruiser. Over the next few seconds, Deputy Ward yelled six times for Mr. Wood to "let go of her" and "put hands up." When Mr. Wood failed to comply, Deputy Ward fired two rounds, one of which struck and killed Mr. Wood.

A postmortem examination the next day determined Mr. Wood's cause of death to be a single gunshot wound to the chest with perforation of the heart, lung, and aorta. The exam also documented the self-inflicted stab wound in the right leg with a transection of major blood vessels in the femoral sheath, as well as incised wounds of the neck, torso, forearms, and wrists. Mr. Wood's blood-alcohol content was measured at 0.148%, and there were presences of Clonazepam, amphetamines, Buprenorphine, THC, and methamphetamine in his blood.

Panel Members

Fernand LaRochelle, Chair

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

Michael Alpert, President, Greater Bangor Area Branch NAACP

John Chapman, Esq.

Jack Clements, Chief of Police, Saco

Sandra Slemmer, designee of Mark Flomenbaum, M.D., Ph.D., Chief Medical Examiner

Anna Love, Chief, Attorney General Investigations

Joel Merry, Sheriff, Sagadahoc County

Joshua Daley, designee of Jack Peck, Director, Maine Criminal Justice Academy

Michael Sauschuck, Commissioner, Department of Public Safety

Benjamin Strick, Director of Adult Behavioral Health, Spurwink

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Note: The individuals who serve on the Panel are appointed to bring their professional expertise to bear on discussions of these complex cases. Thus, members of the Panel may know or have had contact with individuals involved in the case under review. In such situations, members report such affiliations to the Panel, and that information is recorded in the meeting minutes. If Panel members determine that they have a conflict of interest, they are excused from voting on the panel's observations and recommendations regarding that case.