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DEADLY FORCE REVIEW PANEL

6 STATE HOUSE STATION · AUGUSTA, MAINE 04333

September 30, 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 33rd, 34th, and 35th examinations of a 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 incidents in Mexico (10/13/2022), Waterboro (09/07/2022), and Augusta (10/13/2021), the details of which are part of the Panel's enclosed reports.

For the Deadly Force Review Panel:

Fernand Larochelle, Chair
Stephen Burlock, Vice Chair

Enclosures

October 13, 2021 – 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 October 13, 2021, involving Sgt. Christopher Blodgett and Officer Sebastian Guptill of the Augusta Police Department, which resulted in the death of Dustin Paradis, age 34. 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 of improving standards, including changes to statutes, rules, training, and policies and procedures designed to ensure best practices that prove increased 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

On Wednesday, October 13, 2021, shortly after 6 p.m., Augusta police officers responded to calls of a man with a knife, who was reported to have assaulted a resident at the Bread of Life Homeless Shelter and was cutting himself with the knife. Sgt. Christopher Blodgett and Officer Sabastian Guptill were directed inside the residence and immediately encountered two people providing aid to an injured person in the close confines of the threshold to a kitchen. They observed a man, later identified as Dustin Paradis, holding a large knife in his left hand in the kitchen. Mr. Paradis, 10-12 feet away, taunted the officers to shoot him while the officers issued multiple commands to drop the knife. Instead, he started cutting his throat with the knife. When he charged the two officers with the knife in hand, both officers fired their handguns at him. Mr. Paradis, struck by the gunfire, fell to the kitchen floor and, despite lifesaving measures, died at the scene. A minute-and-a-half had elapsed from the time of the arrival of the officers to the time they shot Mr. Paradis.

Information the Panel Reviewed

Before its meeting, Panel members received the investigative material compiled by the Attorney General. The material consisted of all the original investigative data, including interview recordings and reports, cruiser camera audio footage, interior surveillance video footage, forensic reports, photographs, emergency communications, and other materials. The Panel also reviewed the Attorney General's July 31, 2023, report and the Augusta Police Department's Incident Review Team report of December 13, 2021.

Summary of Panel Discussion

On June 27, 2024, the Panel met via Zoom and reviewed the referenced incident.

Observations

1. The suspect in this incident was described as 6'6", 250-280 pounds, with a diagnosis of bipolar disorder and high-functioning autism. The suspect also had a history of violent outbursts, including assaulting family members and damaging property by punching or kicking. The suspect implored officers to "shoot him" during this incident and previous encounters in Maine and Indiana.
2. Following his interaction with the Augusta Police Department on 1/9/2020 and 2/15/2021 and with the Kennebec County Sheriff's Office on 6/30/2021, the suspect was transported on each occasion to a hospital for a mental health evaluation. He was voluntarily admitted to the hospital for the period of 6/30-7/12/2021 for depression with suicidal ideation and a recent suicide attempt.
3. The use of deadly force occurred quickly after the officers arrived, but it was a continuing violent situation from the start. One person had already been injured, and the suspect, armed with a knife, charged at the officers.
4. The officers were not equipped with TASERs. In any case, the space constraints were inappropriate for this less lethal alternative.
5. The officers tried to de-escalate the situation when they arrived and confronted the armed suspect.
6. Officer Guptill was not immediately removed from the scene after the shooting.
7. Officer Guptill changed his original magazine right after the shooting, then re-inserted it later, but was completely transparent about his actions.
8. This was solely a mental health incident; it did not involve substance use. There was no time for behavioral health workers to respond.
9. The department's officers were not equipped with body-worn cameras when this incident occurred, but they have since been deployed.
10. Sgt. Scott Bryant of the Maine State Police completed a scene investigation on the evening of 10/13/21. He determined that the Augusta officers had fired a total of 14 shots. The door separating the office and kitchen areas had 14 perforating bullet defects. On the opposite end of the kitchen area is the door to Tenant Room 2, which was not occupied at the time of the shooting. In determining the path of travel of the 14 shots, Sgt. Bryant determined that one bullet perforated a wall to Room 2 and then struck the window trim in Room 2 and that another bullet ricocheted off the floor of the kitchen and then perforated the door to Room 2.

Recommendations

1. Law enforcement agencies should partner with facilities like Bread of Life to train together and develop a response plan for various emergencies.
2. Officers should have ready access to less lethal munitions and body-worn cameras.
3. The panel believes that feedback from the departments whose incidents are reviewed is important for the department and agencies statewide since learning and improvement is a collaborative process. Therefore, the Panel recommends that within 90 days of receipt of a Panel report, each involved department respond in writing to the Panel, detailing any questions, concerns, and remedial actions taken in response to the observations and recommendations noted in the report.

Factual Summary

On October 13, 2021, at about 6:01 p.m., a 911 caller reported an assault at the Bread of Life Homeless Shelter in Augusta and a person cutting his wrists with a knife.

Surveillance video at the shelter showed the events that led to the call. Mr. Paradis was in the kitchen area of the shelter while he and another man were preparing their respective meals. The men began to argue, causing a shelter employee in the adjacent office to come in and attempt to mediate the dispute. Mr. Paradis then brandished a knife. The shelter employee informed him that he had to put the knife down, which he did. He was also told to leave. Mr. Paradis picked up a bowl containing his meal and hurled it at the other man. The bowl struck the man in the back of the head, injuring him and causing him to fall to the floor. Mr. Paradis picked up a knife with his left hand and began trying to slice his right arm in an "X" shape. When it appeared that his attempts were ineffective, he tossed the knife to the floor, grabbed a second one, and started slicing up and down his arm.

Officer Sebastian Guptill, Sgt. Christopher Blodgett, and Officer Joshua Gallagher, all in uniform and driving separate cruisers, were nearby investigating a complaint when they were dispatched to the shelter. Dispatch relayed to Officer Guptill and Sgt. Blodgett that there was someone at the shelter with a knife and a person was cutting himself. While officers were on their way, a second shelter employee tried to calm Mr. Paradis down. Mr. Paradis told the shelter worker that he wanted to die and that he was going to kill himself. He punched a hole in one cupboard door and kicked in another. According to the worker, he came close to her while holding the knife, causing her to be concerned for her safety. The worker left the kitchen area and closed the door between the kitchen area and the office, where two shelter workers were tending to the injured man on the floor. Mr. Paradis can be seen in the video of the kitchen area continuing to cut his arm and pace back and forth.

Sgt. Blodgett and Officer Guptill arrived simultaneously, and a shelter worker directed them into the building. Officer Guptill entered first, followed by Sgt. Blodgett. Officer Gallagher arrived less

than a minute after the first two officers and stood behind Sgt. Blodgett. They saw two shelter workers on the floor just outside the kitchen area door, helping a bleeding man. Officer Guptill pushed open the door to the kitchen area, and the officers saw Mr. Paradis facing them with a large chef's knife in his hand. Sgt. Guptill described the man as enraged. The officers drew their handguns as Officer Guptill gave Mr. Paradis repeated commands to drop the knife. Mr. Paradis repeatedly responded by telling the officers to shoot and kill him. Officer Guptill repeatedly implored Mr. Paradis to drop the knife.

Mr. Paradis made slitting motions at his neck with the knife. In response to a command by Officer Guptill to put the knife down, Mr. Paradis shouted, "Kill me (expletive)" and charged at the officers with the knife in hand. Within what Officer Guptill said was three feet of Mr. Paradis, Officer Guptill and Sgt. Blodgett both shot at Mr. Paradis, who fell to the floor and died at the scene.

The Office of Chief Medical Examiner later determined the cause of death to be multiple gunshot wounds.

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

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.