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DEADLY FORCE REVIEW PANEL

6 STATE HOUSE STATION · AUGUSTA, MAINE 04333

March 6, 2026

The Hon. Anne M. Carney, Senate Chair
The 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 its 48th review 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 reviews incidents of deadly force by law enforcement in the same chronological order in which the Attorney General disseminates a report on the legality of the use of deadly force. The Panel examined the March 22, 2024, incident in Brewer, the details of which are included in the Panel’s enclosed report.

For the Deadly Force Review Panel:

Stephen Burlock, Chair
Benjamin Strick, Vice Chair

Enclosure

cc:

Criminal Justice & Public Safety Committee
Health & Human Services Committee

March 22, 2024 – Brewer 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 Brewer on March 22, 2024, involving Chief Jason Moffitt of the Brewer Police Department, which resulted in the death of Barry Chick, Jr., age 39. 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 to 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

During the morning of Friday, March 22, 2024, a Walmart employee called 911 and reported that an alleged male shoplifter brandished a gun and fled from the store. Brewer Police Chief Jason Moffitt was at Brewer Public Works when he saw a man matching the description on foot in a parking lot across the road. Chief Moffitt confronted the man, later identified as Barry Chick, Jr. Chief Moffitt told Mr. Chick to get on the ground. Mr. Chick got down on his hands and knees and moved his right hand up the back of his waist. Chief Moffitt believed that Mr. Chick was reaching for a gun. As Mr. Chick brought his right arm toward the front of his body, Chief Moffitt saw that Mr. Chick had a black object in his hand. Believing the object to be a handgun, Chief Moffitt fired one round, striking Mr. Chick in the neck. Mr. Chick died at the scene.

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, and other relevant materials. The Panel also reviewed the Attorney General’s December 17, 2024, report and the report of the Internal Review Team that met on May 9, 2024.

Panel Discussion

On December 11, 2025, the Panel convened via Zoom to review the referenced incident. Various equipment issues were considered, including the lack of a body cam or cruiser video/audio, the lack of a ballistic vest, the use of a non-traditional police vehicle, and whether Chief Moffitt’s clothing included sufficient police identification. Other issues

discussed included the suspect's extensive criminal history; the post-mortem toxicology report, which was positive for multiple substances including methamphetamine and fentanyl; the search for the suspect's reported weapon; and training issues, including the transition from patrol to an administrative position.

Case Specific Observations

1. The 39-year-old suspect in this incident had a lengthy and violent criminal history, which included convictions for a felony assault in 2010 for which he received a nine-month, one-day sentence, an aggravated assault in 2016 resulting in a 12-month sentence, and a domestic violence assault with priors in 2018 for which he was sentenced to three years.
2. The multiple substances identified in the post-mortem toxicology report included methamphetamine, of which the Panel has noticed increased use in their review of deadly force incidents.
3. The suspect's father reported that he had been trying to locate the suspect for several months and that during their last encounter, the suspect was intoxicated and threatened him with a knife.
4. The Panel concurs with the IRT observation that the involved officer's "raid jacket" lacked sufficient police identification.
5. In those instances when the first responding officer is alone and required to use deadly force, it understandably can be a difficult task for that officer to make the immediate transition to rendering the necessary first aid to the suspect. In this case, the Panel observed that Chief Moffitt quickly adjusted to rendering aid to the suspect. On a similar note, the police officers who arrived following the use of force promptly relieved and removed Chief Moffitt from the scene. As the Panel has previously observed, officers who use deadly force should be removed from the scene as soon as possible for their own well-being.

System Level Recommendations

1. The Panel concurs with the IRT recommendation that a plainclothes officer responding to an active call for service should display clear identification, whenever possible.

Factual Summary

On the morning of March 22, 2024, a Walmart employee in Brewer called 911 to report that a man pulled out a gun and ran from the store after being detained for suspected shoplifting. The suspect was described as wearing a black jacket, green pants, and a red bandana under a winter hat, and was last seen fleeing into a wooded area toward Dirigo Drive in Brewer. The man left behind what was later determined to be fake identification credentials.

Chief Jason Moffitt of the Brewer Police Department was in his office when he heard radio traffic about an armed robbery at Walmart. He responded to help search for the suspect,

later identified as Barry Chick, Jr., age 39. Chief Moffitt wore civilian clothes with his issued handgun and badge on his belt. He wore a “raid jacket” with POLICE embossed on the front and back. Chief Moffitt was not wearing a body-worn camera or his ballistic vest. He was driving an unmarked cruiser.

Another responding officer reported seeing footprints heading toward a daycare facility on Dirgo Drive. The daycare center was instructed to lock down, and other officers responded to assist in the search for the suspect. Chief Moffitt was parked at the Brewer Public Works facility, where he could view Green Point Road in both directions. He saw people outside the public works building and construction workers outside other buildings, including a man who matched the Walmart suspect's description and was later identified as Mr. Chick. The man was walking quickly across the road in a parking lot. Chief Moffitt drove across the road to the parking lot. He got out of his cruiser and drew his sidearm, keeping it pointed at the ground. About 10 to 15 yards from Mr. Chick, Chief Moffitt had no cover or concealment. He announced, “Brewer Police,” and told Mr. Chick to stop. When Mr. Chick asked why, Chief Moffitt told him that he matched the description of a robbery suspect. Chief Moffitt told Mr. Chick to get down on the ground. Mr. Chick got on his hands and knees and stared at Chief Moffitt, who instructed him to assume a prone position. Ignoring the command, Mr. Chick moved his right hand to the back of his waist, paused, and continued to stare at Chief Moffitt. Unable to see Mr. Chick’s right hand, Chief Moffitt believed he was reaching for a gun. Chief Moffitt pointed his gun at Mr. Chick and continued to tell him to get down.

Mr. Chick moved his right hand toward the front of his body, at which point Chief Moffitt saw a flat black object in Mr. Chick’s right hand. Chief Moffitt believed it was the slide of a gun. Chief Moffitt fired one round from his gun at Mr. Chick, and Mr. Chick fell back. Chief Moffitt ran to him and saw a black wallet on the ground. Chief Moffitt requested emergency medical services and applied pressure to the man's wound. Despite life-saving efforts by Chief Moffitt and others, Mr. Chick died at the scene from a gunshot wound to the neck.

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

Volunteer Staff: Brian MacMaster (Retired Chief of Attorney General Investigations)

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.