

AARON M. FREY  
ATTORNEY GENERAL



STATE OF MAINE  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0006

REGIONAL OFFICES  
84 HARLOW ST. 2ND FLOOR  
BANGOR, MAINE 04401  
TEL: (207) 941-3070  
FAX: (207) 941-3075

125 PRESUMPCOT ST., SUITE 26  
PORTLAND, MAINE 04103  
TEL: (207) 822-0260  
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1  
CARIBOU, MAINE 04736  
TEL: (207) 496-3792  
FAX: (207) 496-3291

TEL: (207) 626-8800  
TTY USERS CALL MAINE RELAY 711

July 31, 2023

Chief Jared Mills  
Augusta Police Department  
33 Union Street  
Augusta ME 04330

Dear Chief Mills:

We have completed our investigation and legal review of the incident on October 13, 2021, involving the use of deadly force by Officer Sebastian Guptill and Sgt. Christopher Blodgett, which resulted in the death of Dustin Paradis, age 34, of Augusta.

#### Factual Summary

At approximately 6:01 p.m. on October 13, 2021, a 9-1-1 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 he removed from a knife block. The shelter employee informed him that he had to put the knife down, which he did. He was also told he needed 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 and grabbed a second one from the block 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. On the video of the kitchen area, Mr. Paradis can be seen continuing to cut his arm and pacing back and forth.

Sgt. Blodgett and Officer Guptill arrived at the shelter at the same time, and a shelter worker directed them into the shelter building. Officer Guptill entered first, followed by Sgt. Blodgett. Officer Gallagher, who arrived less than a minute after the first two officers, stood behind Sgt. Blodgett and Officer Guptill. They saw two shelter workers on the floor just outside the door of the kitchen area 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.<sup>1</sup> 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 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.

### Discussion and Legal Analysis

The Office of the Attorney General has exclusive responsibility for the direction and control of any criminal investigation of a law enforcement officer who uses deadly force while acting in the performance of the officer's duties.<sup>2</sup> The detectives who conduct these investigations are independent of any other law enforcement agency. The sole purpose of the investigation in this matter was to determine if a criminal prosecution was warranted or if self-defense or the defense of others was reasonably generated by the facts.<sup>3</sup> Any such prosecution would require the State to disprove self-defense or the defense of others beyond a reasonable doubt. The investigation did not include an analysis of whether any personnel action might be warranted, whether the use of deadly force could have been averted, or whether there might be civil liability. Indeed, state law provides that the fact that conduct may be justifiable under the law does not abolish or impair any other available legal remedy.

Whether the use of force by a law enforcement officer is reasonable is based on the totality of the particular circumstances and judged from the perspective of a reasonable officer on the

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<sup>1</sup> The knife was later determined to be 13 inches long with a 7-inch blade.

<sup>2</sup> 5 M.R.S. § 200-A

<sup>3</sup> Under Maine law, for a law enforcement officer to lawfully use deadly force in self-defense or the defense of others, two requirements must be met. First, the officer must reasonably believe that unlawful deadly force is imminently threatened against the officer or another person and, second, the officer must reasonably believe that the use of deadly force is necessary to defend the officer or other person. 17-A M.R.S. § 107(2)(A).

scene, allowing for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a given situation. The legal analysis requires careful attention to the facts and circumstances of each case, including the severity of the crime threatened or committed and whether the suspect poses an immediate threat to the safety of others.

#### Conclusion

When Officer Guptill and Sgt. Blodgett shot Mr. Paradis, they reasonably believed that Mr. Paradis posed an imminent threat of serious bodily injury or death to themselves and others at the shelter. Mr. Paradis was highly agitated and ignored repeated commands to drop the knife. He urged the officers to kill him and then charged at them with the knife while the victim of his assault still lay bleeding at the officers' feet. Officer Guptill and Sgt. Blodgett reasonably believed that Mr. Paradis was about to use unlawful deadly force against them or others. All the facts and circumstances point to the conclusion that Officer Guptill and Sgt. Blodgett were acting in self-defense and the defense of others at the time they used deadly force.

Sincerely,

  
Aaron M. Frey  
Attorney General