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April 18, 2024

Sheriff Christopher Wainwright  
Oxford County Sheriff's Department  
26 Western Avenue,  
PO Box 179  
South Paris ME 04281

Dear Sheriff Wainwright:

We have completed our investigation and legal review of the incident on October 30, 2023, involving the use of deadly force by Oxford County Sheriff's Deputy Matthew Steinort and Cpl. Joshua Aylward which resulted in the death of Sean B. Dymont, age 23 of Canton, Maine.

#### Factual Summary

On October 30, 2023, at approximately 8:13 pm, a woman called 911 to report she was being followed by a vehicle driven by an unknown male. The caller reported that she had honked at the vehicle, and the vehicle started following her closely. She was concerned because her young son was in the backseat. The dispatcher told her to drive to the Rumford Police Department where an officer would meet her.

Deputy Matthew Steinort and Cpl. Joshua Aylward of the Oxford County Sheriff's Department were on patrol in the Rumford area and heard the radio traffic. They both traveled to Rumford PD to assist Rumford Sgt. Donald Miller who planned to meet the woman caller at the Police Department. In addition, Mexico Police Officer Ashley Rich, who was proceeding to the Rumford Police Department, also heard the radio traffic.

While Cpl. Aylward and Sgt. Miller were meeting with the woman in front of the police department, Deputy Steinort arrived at the police department followed closely by a vehicle. Cpl. Aylward recognized Sean Dymont as the operator of the vehicle following Deputy Steinort. Cpl. Aylward recognized Sean Dymont from an interaction earlier in the evening when Dymont pulled up next to him and said, "bad things are happening tonight." Sgt. Miller instructed Officer Steinort to place his cruiser perpendicular to the roadway so Dymont could not go anywhere, and the woman could leave the area.

Sean Dymont then started to slowly back up in the roadway and stopped. Law enforcement tried to communicate with Mr. Dymont, but he was yelling profanities, including threats to kill. At one point, Mr. Dymont accelerated towards Dep. Steinort but stopped. Sgt. Miller asked Mr. Dymont what he was doing, but he did not provide an answer. Mr. Dymont asked the officers' names, and they provided them to him. Sgt. Miller and Cpl. Aylward were on the sidewalk near the police department, and Deputy Steinort was across the street. Deputy Steinort was in closer proximity to Mr. Dymont and heard him say, he was going to "fucking kill you, Josh". Josh is the first name of Cpl. Aylward. Mr. Dymont also told Deputy Steinort he had a gun. Deputy Steinort yelled to Cpl. Aylward that Dymont had a gun, and he will use it. Dymont can be heard on Sgt. Miller's body camera saying, "I have a firearm." Deputy Steinort then saw and heard what he believed to be the racking of an AR style weapon or long gun. Aylward also reported seeing what he believed was the motion of Mr. Dymont racking an AR style weapon. Deputy Steinort hollered for Mr. Dymont to drop the gun and began backing away. Deputy Steinort then observed Mr. Dymont reach over and point the gun directly at Sgt. Miller and Cpl. Aylward. This was also seen by Officer Rich who had arrived in the area of the Police Department. Deputy Steinort then fired his gun at Mr. Dymont. Cpl. Aylward then began to fire his gun at Mr. Dymont. Deputy Steinort later told investigators that he used deadly force because he observed Mr. Dymont point an AR style weapon at Sgt. Miller and Cpl. Aylward. He was also aware that Mr. Dymont said he was going to 'kill Josh.' Cpl. Aylward told investigators that he used deadly force because he knew Mr. Dymont had a firearm, had threatened to kill him (Cpl. Aylward), and he heard shots being fired.

Mr. Dymont was transported to Rumford Hospital where he was declared dead. A post-mortem examination was conducted by the Office of Chief Medical Examiner. Mr. Dymont's cause of death was multiple gunshot wounds. Toxicology results showed he had amphetamines and methamphetamines in his system.<sup>1</sup>

A Palmetto State Armory Model AK-103S rifle was recovered from Mr. Dymont's vehicle. There was a cartridge in the chamber and a magazine with 17 cartridges.

### 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.

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<sup>1</sup> Methamphetamines are capable of causing hallucinations, aggressive behavior and irrational reactions.

<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).


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 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 Deputy Steinort and Cpl. Aylward shot Sean Dymont, they reasonably believed Mr. Dymont was posing an imminent threat of serious bodily injury or death to the officers. He had threatened to kill Cpl. Aylward, did not respond to commands to drop the gun and instead pointed the gun in the direction of the officers. All the facts and circumstances point to the conclusion that Deputy Steinort and Cpl. Aylward acted in self-defense and the defense of others at the time they used deadly force.

Sincerely,

  
Aaron M. Frey  
Attorney General