

AARON M. FREY  
ATTORNEY GENERAL



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

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

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

August 8, 2025

Kevin J. Joyce, Sheriff  
36 County Way  
Portland, ME 04101

Dear Sheriff Joyce:

We have completed our investigation and legal review of the incident on November 13, 2024, in Harrison, Maine, involving the use of deadly force by Detective Nathan Theriault, Detective Tyler Monsees, and Deputy Brandon Pelton, resulting in a non-fatal injury to Arthur Lefebvre, age 57, of Harrison.

#### Factual Summary

At approximately 1:16 p.m. on November 13, 2024, the Cumberland County Regional Communications Center (CCRCC) received a 911 hang-up call from a person later identified as Mr. Lefebvre. The CCRCC determined the call was coming from an address on the Hawk Ridge Road in Harrison and the caller sounded intoxicated.

Ten minutes later, Mr. Lefebvre called CCRCC again, indicating he had a gun at his head and was seeking a telephone number for his counselor, before terminating the call. Mr. Lefebvre called back at 1:32 p.m. and left the line open as he spoke to other people in the background. He can be heard making a number of concerning statements.

At approximately 1:40 p.m., a counseling center called the CCRCC to request a wellness check on Mr. Lefebvre. The center reported that Mr. Lefebvre was a former client and had contacted the center looking for a counselor that he was no longer seeing. According to the center, Mr. Lefebvre told them he had a gun, that he had just had to put his dog down, and that he needed to talk to someone. The center further reported it was not able to provide the crisis number to Mr. Lefebvre because Mr. Lefebvre kept hanging up. It provided dispatch with an address for him on Hawk Ridge Road.

Multiple Officers with the Cumberland County Sheriff's Office were dispatched to the identified residence on Hawk Ridge Road. Once outside the residence, officers heard a gunshot but could not determine where it had been fired from. At approximately 2:30 p.m., an adult male

from the residence was seen getting into a truck in the driveway and the officers stopped him to gather information. The male indicated that Mr. Lefebvre was either in the house or in the camper near the house. An adult female then emerged from the house and said that her deaf, autistic, adult daughter was in the home sleeping, and she believed that Mr. Lefebvre was in a camper near the house. The adult male yelled for Mr. Lefebvre to come out and talk to the officers. Mr. Lefebvre responded from a house across the street from the residence originally identified over the radio, compelling officers to turn their attention to the second house and establishing a perimeter around that location. Outside of that house, Mr. Lefebvre was observed with a gun and refused the officers' commands to drop it. He went back inside where he was observed opening windows and walking about the house.

As other law enforcement officers arrived on scene, a command structure was established and those who responded were assigned to secure the perimeter, secure civilians, and attempt negotiation. Included in those who responded were Detective Nathan Theriault, Detective Tyler Monsees, and Deputy Brandon Pelton. All three officers reported learning about the events unfolding on Hawk Ridge Road through a combination of notes entered into the Computer Aided Dispatch system and reports from dispatch over the radio. These updates covered how there was concern for a suicidal individual who was armed and may be in a residence with a third party. There had also been a report of a gunshot in the area of the target residence. All three officers were directed to help secure a perimeter around the house occupied by Mr. Lefebvre.

Deputy Alec Thompson, who was one of the initial responders, was engaged in trying to communicate with Mr. Lefebvre by using his cruiser's public address system. At approximately 2:59 p.m., Deputy Thompson identified himself as a deputy of the Cumberland County Sheriff's Office and told Mr. Lefebvre to leave the guns inside and come out with his hands up. He told Mr. Lefebvre that they did not want to hurt him and that they wanted to resolve this peacefully and get him help. He also asked Mr. Lefebvre to call 911 so they could talk directly.

During the negotiation efforts, Mr. Lefebvre was observed walking through the house. He was yelling at officers, including demands that officers shoot him, and asking if he would have to shoot first. At one point, he yelled out that he could see the officers. At approximately 3:11 p.m. Mr. Lefebvre appeared at a second story window facing Deputy Thompson and fired a single gunshot out of the window. Deputy Thompson, concerned about his safety, terminated negotiations at that time.

Deputy Cole Gagnon positioned himself in the woods at the corner of the house and was able to observe Mr. Lefebvre moving inside the house. He observed Mr. Lefebvre stick a handgun out the window and yell for officers to shoot him. Deputy Gagnon heard a shot fired but did not know by whom, or where it came from. Deputy Gagnon was able to relay Mr. Lefebvre's movements to the other officers on the scene. When Mr. Lefebvre came out of the house, Deputy Gagnon observed that Mr. Lefebvre had two firearms, a handgun and a long gun, with one firearm pointing at his head. Deputy Gagnon yelled repeatedly to Mr. Lefebvre to drop the guns, however Mr. Lefebvre ignored his commands and walked away from him toward deputies who were located on the perimeter in the woods.

Over the radio, officers were alerted that Mr. Lefebvre was holding two guns. For those officers securing the perimeter, the area surrounding the house was wooded with clearings that afforded minimal cover for the officers. Detective Theriault observed Mr. Lefebvre holding two guns and was walking in the direction of the officers. Detective Theriault repeated verbal commands to drop the gun. Detective Monsees was located on Detective Theriault's right side and could also see Mr. Lefebvre had a pistol and a rifle. He moved to Detective Theriault's left side for a better view and because he believed that Mr. Lefebvre was walking towards Detective Theriault. He began giving commands for Mr. Lefebvre to stop and drop his weapons. Deputy Pelton, who was also located to Detective Theriault's left side, saw Mr. Lefebvre walking towards the officers in the woods while waving the handgun around. Detective Theriault fired when he observed Mr. Lefebvre's right arm begin to move straight up in front of him. Detective Monsees fired when he saw Mr. Lefebvre still coming in their direction with his gun up. Deputy Pelton fired when he saw Mr. Lefebvre reach around as if he were bringing out the firearm to shoot. All three officers later reported that they fired because they believed that Mr. Lefebvre was about to shoot them or other nearby officers.

Mr. Lefebvre was transported to a hospital where he was treated for multiple gunshot wounds. The guns he had been brandishing were a pistol and a BB gun. A search of the house that Mr. Lefebvre had been in prior to the shooting contained two long guns and a pistol. A box of .22 caliber ammunition on the island in the kitchen had spilled out onto the floor. A 9 mm shell casing was recovered on the deck on the south side of the residence. An additional shell casing was located at the base of the open second floor window on the east side of the building. Mr. Lefebvre had gained access to the house as its caretaker. Mr. Lefebvre was later interviewed and told a detective with the Attorney General's Office that he shot his gun because he wanted the police to leave. He also indicated he wanted to be with his fiancée and his dog, both of whom were deceased.

Mr. Lefebvre has been indicted by a Cumberland County for Reckless Conduct with a Firearm, Criminal Threatening with a Dangerous Weapon, and Creating a Police Standoff. The charges are currently pending on the Mental Health docket.

### 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>1</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>2</sup> Any such prosecution would require the

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<sup>1</sup> 5 M R S. § 200-A

<sup>2</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)

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 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 Detective Theriault, Detective Monsees and Deputy Pelton deployed deadly force against Mr. Lefebvre, they reasonably believed that he was about to use unlawful deadly force against the officers in the woods. He had made suicidal and homicidal statements, fired twice, refused commands to drop the guns, and was walking directly towards the officers in the woods, whose only cover were the trees. It was only when he began raising his firearm in the direction of the officers that the officers shot him. All the facts and circumstances point to the conclusion that the three officers reasonably believed they were acting in defense of themselves and other officers at the time they used deadly force.

Sincerely,



Aaron M. Frey  
Attorney General