

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

March 23, 2026

Chief Mark Hathaway
Bangor Police Department
240 Main St.
Bangor, Maine 04401

Dear Chief Hathaway:

We have completed our investigation and legal review of the incident on Thursday, June 26, 2025, involving the use of deadly force by Bangor Police Officers Brian Cronk, Taylor Reynolds, and Benjamin Ferland, which resulted in non-fatal injuries to Brian Barnes, age 58, of Bangor.

Factual Summary

On June 26, 2025, at approximately 2:47 pm, the Bangor Regional Communications Center received a call from a woman reporting that her husband, Brian Barnes, had returned from work and was suicidal.¹ The caller further advised that Mr. Barnes had a gun when he went to work earlier that day and when he returned home, took some bullets and went to the garage. Dispatch advised the caller to lock the doors and to stay on the phone with the dispatcher. The caller reported hearing a gunshot coming from the garage and Mr. Barnes was now pounding on the door and yelling. The caller told Mr. Barnes police were on their way to which he responded there would be a shoot-out with the police. Bangor Officers were told by dispatch Mr. Barnes arrived home with a gun, had shot his gun in the garage, and indicated there would be a shoot-out with police.

At approximately 2:55 pm, Officer Cronk arrived at the home, which was located on outer Broadway Avenue in Bangor. He observed Mr. Barnes in the driveway yelling, "it's either you or me." Officer Cronk repeatedly told Mr. Barnes to put the gun down. At this point, Officer Cronk did not see the gun but understood from dispatch that he had a gun. Mr. Barnes then moved behind a tree, closer to the road.

¹ Earlier in the day, the woman called Bangor Police Department and spoke with Officer Cronk. She reported to Officer Cronk that her husband was expressing suicidal ideations and was armed with a 9mm handgun.

Within minutes, Officers Reynolds, Ferland, and Kinney arrived at the scene and parked on Broadway just before the home where Mr. Barnes was located. Initially, the officers could not see Mr. Barnes because he was standing behind a tree. The officers were aware of his location because he was responding verbally to their commands to drop the gun. Mr. Barnes emerged from behind a tree in the front yard of the home with a handgun under his chin, facing the officers. All the officers were repeatedly yelling at him to drop the gun. In response to these commands, Mr. Barnes replied 'no', and proceeded to level the gun in the direction of the officers. Officers Reynolds, Ferland, and Cronk fired at Mr. Barnes, who fell to the ground. All three officers then cautiously approached Mr. Barnes, who was face down on the ground. His handgun, a Taurus, Model G3c 9mm, was located unloaded a few feet from where he was shot. Officer Kinney's Watchguard camera captured Mr. Barnes emerging from the tree and pointing his gun at the officers.

All three officers described to investigators why they fired upon Mr. Barnes in response to his behavior. First, Officer Cronk explained when Mr. Barnes moved the gun from under his chin to pointing it at him and other officers, he fired his Glock 19 handgun because he feared Mr. Barnes would kill his fellow officers or himself. Second, Officer Ferland, who was located at the driver's side, front quarter panel of Officer's Cronk's cruiser, recounted seeing Mr. Barnes emerge from his covered position, square up, and lift his arm toward the officers, leading Officer Ferland to believe Mr. Barnes was leveling a firearm at them. Seeing this and hearing gunshots, he fired his patrol rifle because he believed Mr. Barnes was shooting at them and he was acting to protect himself and his colleagues. Third, Officer Reynolds, who was located on the driver's side of Officer Kinney's cruiser, which was parked next to Officer Cronk's cruiser observed Mr. Barnes step out of the bushes holding a handgun. He saw Mr. Barnes put the gun under his chin or in his mouth and then level the gun in the direction of the officers. In response, Officer Reynolds fired his patrol rifle. Officer Reynolds, who fired two separate volleys, described he initially shot at Mr. Barnes because he believed Mr. Barnes was about to shoot at himself and the other officers. He fired upon Mr. Barnes a second time when he heard what he perceived to be gunshots from Mr. Barnes, who was still pointing his gun at the officers. All three officers and other officers at the scene can be heard on cruiser cameras and body worn cameras repeatedly telling Mr. Barnes to drop the gun.

Mr. Barnes was taken to Northern Light Health where he was treated for a gunshot wound to the right abdomen. He had a .26 blood alcohol content. He is currently charged with criminal threatening and reckless conduct in Penobscot County. Mr. Barnes later told detectives with the Attorney General's Office that on the day of the shooting, he was suicidal. He told detectives that when the officers arrived at his home, he threatened the officers by saying it was either going to be him or them and admitted pointing his handgun at them.

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, while performing the officer's duties, uses deadly force.² The detectives investigating these incidents are independent of any other law enforcement agency. The limited purpose of the criminal investigation of this incident was to establish whether self-defense, including the defense of others, was reasonably generated by the facts to determine whether a criminal prosecution was warranted. Under Maine law, two requirements must be met for any person, including a law enforcement officer, to lawfully use deadly force in self-defense or defense of others. First, the person must reasonably believe that unlawful deadly force is imminently threatened against that person or another person, and second, the person must reasonably believe that the use of deadly force is necessary to defend the person or another person.³

The legal analysis requires careful attention to the specific facts and circumstances, including the severity of the crime threatened or committed and whether the suspect posed an immediate threat to the safety of others. Further, whether the use of force by a law enforcement officer is reasonable is based on the totality of the 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 investigation did not include an analysis of whether any personnel action may be warranted, whether the use of deadly force could have been averted, or whether there may be civil liability. Indeed, conduct that may be justifiable under the criminal law does not abolish or impair other civil remedies.

² 5 M.R.S. § 200-A.

³ 17-A M.R.S. § 107(2)(A).

Conclusion

When Officers Cronk, Ferland, and Reynolds fired at Mr. Barnes, they reasonably believed he was about to use unlawful deadly force against the officers. The Officers were aware that Mr. Barnes had a gun, was suicidal, and said there would be a shoot-out when police arrived. The Officers repeatedly told Mr. Barnes to drop his gun, and he refused to do so. After pointing the gun at his chin, Mr. Barnes then leveled his gun at the officers posing an imminent threat of serious bodily injury or death to the officers. All the facts and circumstances point to the conclusion that the three officers reasonably believed they were acting in defense of themselves and their fellow officers at the time they used deadly force.

Sincerely,

A handwritten signature in black ink that reads "Aaron M. Frey". The signature is written in a cursive style with a large initial 'A' and a long, sweeping tail on the 'y'.

Aaron M. Frey
Attorney General