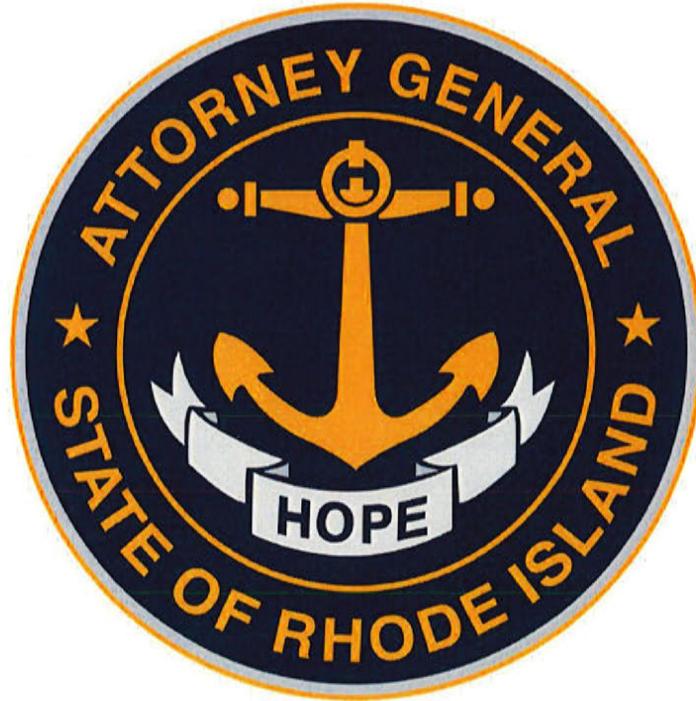


**STATE OF RHODE ISLAND  
OFFICE OF THE ATTORNEY GENERAL**

*Peter F. Neronha  
Attorney General*



**INVESTIGATIVE REPORT  
January 6, 2026**

<b>Incident Type:</b>	<b>Officer-Involved Shooting</b>
<b>Incident Location:</b>	<b>Goff Avenue, Pawtucket</b>
<b>Incident Date:</b>	<b>June 8, 2025</b>
<b>Police Departments:</b>	<b>Pawtucket Police Department</b>
<b>Officers Involved:</b>	<b>Pawtucket Police Officer Thomas Letourneau</b>

## **SUMMARY OF FINDINGS**

The Office of Attorney General has concluded its review of the June 8, 2025 officer involved shooting that occurred on Goff Avenue in Pawtucket, RI. That review revealed that Pawtucket Police Officer Thomas Letourneau fired his service weapon multiple times at a man who was carrying a plastic gun that looked to the officer like an actual firearm. Officer Letourneau discharged his service weapon after the man, Sebastian Yidana, failed to heed Officer Letourneau's commands to drop the weapon. One of the rounds fired by Officer Letourneau struck Mr. Yidana in the shoulder, resulting in a non-fatal wound.

The investigation of this incident was conducted pursuant to the Attorney General's Protocol for the Review of Incidents Involving the Use of Deadly Force, Excessive Force, and Custodial Deaths ("The Attorney General Protocol"), together with the Rhode Island State Police and Pawtucket Police. Based on the investigation and our review of the findings, the Office of the Attorney General concludes that Officer Letourneau's actions were legally justified.

A thorough account of the investigation may be found in the Rhode Island State Police and Pawtucket Police Investigative Reports. As detailed in those materials, on June 8, 2025 at 10:23 a.m., Pawtucket Police received multiple calls reporting a male in an orange sweatshirt pointing what the callers believed to be an airsoft or BB gun at "everybody and himself." The callers gave conflicting locations for the man's location. In response to the calls, Officer Thomas Letourneau responded to the area indicated by the first caller, outside Slater House at 10 Goff Avenue.

The area around 10 Goff Avenue is a wide intersection where five streets converge. Officer Letourneau parked his cruiser in the middle of the intersection and observed Mr. Yidana standing in a crosswalk approximately twenty-five yards in front of his vehicle. Officer Letourneau exited his cruiser and stood behind the open driver's side door. The officer repeatedly commanded Mr. Yidana to drop the weapon but Mr. Yidana did not comply. Rather, Mr. Yidana turned around and pointed the suspected firearm at the officer. Officer Letourneau fired his service weapon eleven times at Mr. Yidana, hitting him once in the right shoulder. Mr. Yidana then collapsed in the crosswalk and was quickly tended to by responding police officers and rescue personnel. Members of the Pawtucket Fire Department transported Mr. Yidana to the hospital where he received medical treatment for the non-fatal gunshot wound.

As the responding officers approached and remained with Mr. Yidana, their body worn camera footage depicts a plastic toy gun lying in Mr. Yidana's lap. The plastic gun resembles an assault rifle and is painted in a dark green and black camouflage pattern with an orange plastic tip. Officers subsequently seized the weapon and secured it inside a police vehicle.

This report focuses on the facts most pertinent to our conclusion that the force used by Officer Letourneau was objectively reasonable under the circumstances as he reasonably perceived them.

## EVIDENCE REVIEWED

1. Rhode Island State Police Officer Involved Shooting Investigation Report (48 pages)
2. Rhode Island State Police Incident Report (1 page)
3. Pawtucket Police Department Incident and Arrest Reports (8 pages)
4. Narrative for Det. Austin Webb, Pawtucket Police Department (12 pages)
5. Narrative for Det. Patrick Malloy, Pawtucket Police Department (3 pages)
6. Narrative for Det. Gregory Bushy, Pawtucket Police Department (1 page)
7. Narrative for Spec. Squad Det. Jeffrey Furtado, Pawtucket Police Department (1 page)
8. Narrative for Det. Jonathan Gagnon, Pawtucket Police Department (1 page)
9. Narrative for Off. Tyler Mobrince, Pawtucket Police Department (1 page)
10. Narrative for Off. Andrew Dutra, Pawtucket Police Department (1 page)
11. Narrative for Off. Sherwayne Jones, Pawtucket Police Department (1 page)
12. Narrative for Off. Nicholas Dadona, Pawtucket Police Department (1 page)
13. Narrative for Off. Benjamin Mattiello, Pawtucket Police Department (1 page)
14. Narrative for Off. Raquel Pederzani, Pawtucket Police Department (1 page)
15. Narrative for Off. Leopold Bellegarde, Pawtucket Police Department (1 page)
16. Narrative for Off. Nicholas Sisto, Pawtucket Police Department (1 page)
17. Narrative for Off. Matthew Levasseur, Pawtucket Police Department (1 page)
18. Narrative for Off. Matthew Porada, Pawtucket Police Department (1 page)
19. Narrative for Off. David Palmer, Pawtucket Police Department (1 page)
20. Narrative for Off. Brian Beech, Pawtucket Police Department (1 page)
21. Narrative for Off. Carolyn Whalen, Pawtucket Police Department (1 page)
22. Narrative for Off. Matthew Choquette, Pawtucket Police Department (1 page)
23. Narrative for Off. Matthew Santoro, Pawtucket Police Department (1 page)
24. Narrative for Off. Matthew Silva, Pawtucket Police Department (1 page)
25. Still Images from Surveillance Camera at Mango's Restaurant (26 images)
26. Evidence Measurements by BCI Det. William Briggs, Pawtucket Police Department (1 page)
27. Witness Statements of Off. Thomas Letourneau, Pawtucket Police Department – audio and transcripts
  - On-scene interview – (11 pages)
  - Station interview – (21 pages)
28. Statement of Sebastian Yidana – audio and transcript (15 pages)
29. Statement of Joseph Douglas, Pawtucket Fire Department – audio and transcript (5 pages)
30. Statement of Capt. Earl Newman, Pawtucket Fire Department – audio and transcript (6 pages)
31. Statement of Capt. Scott Giroux, Pawtucket Fire Department – audio and transcript (7 pages)
32. Statement of Adam Guevremont, Pawtucket Fire Department – audio and transcript (8 pages)
33. Statement of Matt McMahon, Pawtucket Fire Department – audio and transcript (6 pages)
34. Statement of Thomas Falowo, Pawtucket Fire Department – audio and transcript (5 pages)
35. Statement of Civilian 1 [REDACTED] – audio and transcript (20 pages)
36. Statement of Civilian 2 [REDACTED] – audio and transcript (18 pages)
37. Statement of Civilian 3 [REDACTED] – audio and transcript (10 pages)
38. Statement of Civilian 4 [REDACTED] – audio and transcript (10 pages)
39. Statement of Civilian 5 [REDACTED] – audio and transcript (17 pages)
40. Search Warrant obtained by Pawtucket Police Department (5 pages)
41. Pawtucket Police Department BCI Photographs of Evidence, Scene, Search – (198 photos)
42. Pawtucket Police Department Dispatch Log – (4 pages)
43. Pawtucket Fire Department Report – (20 pages)
44. Pawtucket Police Department Use of Force Policy – (13 pages)

45. Firearms Qualification Records for Off. Thomas Letourneau, Pawtucket Police Department – (7 pages)
46. Criminal Background Check for Sebastian Yidana – (5 pages)
47. Pawtucket Police Department Radio Recordings – (51 recordings)
48. Calls to Pawtucket Police Department Dispatch – (2 recordings)
49. Call to E-911 – (1 recording)
50. Rhode Island State Crime Lab Evidence Submission Report – (1 page)
51. Rhode Island State Crime Lab Report – (3 pages)
52. Surveillance Video – Mangos Restaurant, 15 Exchange St., Pawtucket, RI
53. Surveillance Video – Klibanoff Eye Associates, 55 Broad St., Pawtucket, RI
54. Surveillance Video – Punto Final Lounge, 33 Summer St., Pawtucket, RI
55. Surveillance Video – Slater House, 10 Goff Ave., Pawtucket, RI
56. Surveillance Video – Walgreens, 100 Broad St., Pawtucket, RI
57. Surveillance Video – Wendy's, 120 Broad St., Pawtucket, RI
58. Body Worn Camera (2) – Off. Andrew Dutra, Pawtucket Police Department
59. Body Worn Camera (2) – Off. Benjamin Mattiello, Pawtucket Police Department
60. Body Worn Camera (2) – Off. Raquel Pederzani, Pawtucket Police Department
61. Body Worn Camera – Off. Nicholas Dadona, Pawtucket Police Department
62. Body Worn Camera – Off. Sherwayne Jones, Pawtucket Police Department
63. Body Worn Camera – Off. Nicholas Sisto, Pawtucket Police Department
64. Body Worn Camera (2) – Off. Matthew Santoro, Pawtucket Police Department
65. Body Worn Camera – Off. Thomas Letourneau, Pawtucket Police Department
66. Body Worn Camera (3) – Off. Matthew Levasseur, Pawtucket Police Department
67. Body Worn Camera – Off. Keri Agrela, Pawtucket Police Department
68. Body Worn Camera (3) – Off. Tyler Mobrince, Pawtucket Police Department
69. Email Alert from Off. Kenneth Dolan re: "Firearm Altered to Look Like Nerf Gun" (2 pages)

## SUMMARY OF THE FACTS

On June 8, 2025, at 10:23 a.m., Pawtucket Police received a call from Civilian 1 reporting a “a guy out here with an airsoft gun<sup>1</sup> pointing it at people.” The caller described the man, later identified as Sebastian Yidana, as wearing an “orange hoodie” and “red and black checkered pants” who was located in front of Slater House.<sup>2</sup> The caller said he knew it was an air soft gun because the gun had an orange tip. Civilian 1 further described Mr. Yidana as “pointing the gun at everybody...now he’s got the gun to his head...he has the gun in his mouth right now.” The dispatcher informed the caller “Alright, we’ll be there” as he notified three officers to respond to the call.

A few seconds later, an E-911 operator transferred Civilian 6 to Pawtucket Police dispatchers. Civilian 6 reported a man in an orange sweatshirt at Broadway and Exchange Streets with “a toy gun in his hand.” The dispatcher confirmed the location with the caller and notified her that officers were being sent to the area.

Pawtucket Police Officer Thomas Letourneau was in the dispatch area of the police station when the calls came in. He heard the caller report a “weapons violation” at Slater House. During an interview with investigators<sup>3</sup>, Officer Letourneau characterized the callers “describing the incident as a man that was pointing a rifle at...passersby in the area.”

Officer Letourneau immediately responded in his police cruiser to the Slater House location, not the Broadway location. As he drove the short distance to 10 Goff Avenue, Letourneau monitored the information coming from dispatch on his computer screen. According to the dispatch log, Officer Letourneau’s computer screen read: “1023:12 Phone - Weapons Violations: caller states he believes orange tip air soft gun orange hoodie red blk pants pointing it at everyone.”

At 10:25:16 a.m., dispatchers broadcast over the radio, that officers “respond to the area of Slater House at 10 Goff. Caller is reporting a male subject with what he believes is a[n] air soft gun. States he could see a[n] orange tip on it...the male subject is pointing it at everyone and himself. He is wearing an orange hoodie, red and black pants.” Officer Letourneau radioed to dispatch at 10:28:39 that he is “right in front of 10 Goff.”<sup>4</sup>

Officer Letourneau was the first officer to arrive at this location. As he approached the intersection, Officer Letourneau immediately spotted Mr. Yidana in front of Slater House. The officer observed that Mr. Yidana wore the clothing described by the civilian caller and he held a “black rifle down by his side.”<sup>5</sup> Officer Letourneau parked his cruiser in the middle of the busy intersection where five streets converge in a star pattern. He parked a good distance away from where Mr. Yidana was standing because “I only had my handgun, my rifle was in the back.”<sup>6</sup> Officer Letourneau stood behind the open door of his cruiser with his firearm pointed at Mr.

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<sup>1</sup> Airsoft guns are replica firearms that fire small plastic BBs. They generally operate using compressed air or a spring based mechanism.

<sup>2</sup> Slater House is a high-rise apartment building located at 10 Goff Avenue in Pawtucket.

<sup>3</sup> Officer Letourneau gave two compelled “Garrity” statements to investigators. The first occurred on the date of the incident (June 8<sup>th</sup>) and Officer Letourneau briefly described the events during a walk-through of the scene outside 10 Goff Avenue. The second statement was a formal interview at the Pawtucket Police Station on June 10<sup>th</sup>. Through counsel, Officer Letourneau waived his rights under Garrity v. New Jersey and agreed to make these statements available to investigators for use in this report.

<sup>4</sup> Dispatch recording #876.

<sup>5</sup> Letourneau police station stmt. – pg. 5, 11.

<sup>6</sup> Letourneau police station stmt. – pg. 5.

Yidana. According to Officer Letourneau, Mr. Yidana did not direct his attention to him as he approached the intersection in his cruiser. Officer Letourneau told investigators that upon exiting his cruiser and taking a defensive position, he commanded Mr. Yidana multiple times to “drop the gun.”<sup>7</sup> Mr. Yidana then directed his attention to Officer Letourneau, but he did not comply with the officer’s commands. Instead, according to Officer Letourneau, Mr. Yidana turned around, gripped the weapon with two hands, took a “shooting stance” and pointed the gun at the officer.<sup>8</sup> Officer Letourneau stated that Mr. Yidana “looked like he supported himself ...as if he was expecting the rifle to recoil.”<sup>9</sup> Officer Letourneau then fired his service weapon at Mr. Yidana until the officer saw Mr. Yidana fall to the ground.

Responding officers seized the suspected firearm from the street near Mr. Yidana and secured it inside a police cruiser. They also found and seized what appeared to be a black plastic shoulder stock in the same area. The officers determined that the suspected firearm was a toy plastic rifle painted in green and black camouflage with an orange plastic tip and orange markings on the magazine.

Pawtucket Police BCI detectives subsequently processed the scene, locating nine shell casings in the area around where Officer Letourneau fired his weapon. Analysts at the Rhode Island State Crime Laboratory confirmed that Officer Letourneau’s service weapon ejected the nine shell casings. The BCI detectives also inspected Officer Letourneau’s service weapon and its magazine, determining that he discharged eleven rounds during his confrontation with Mr. Yidana.

Witnesses, surveillance and Mr. Yidana’s own statement all support Letourneau’s version of what took place outside 10 Goff Avenue.<sup>10</sup> For example, Civilian 1, who was the first to report Yidana’s behavior to the police, was in a vehicle stopped at a red light across the street from Slater House. Just minutes after calling Pawtucket Police, he saw “the first officer who came to the scene” stop his cruiser in the intersection and point his firearm at Mr. Yidana while yelling “Drop the gun. Drop the gun.”<sup>11</sup> Civilian 1 further described what happened next: “...when the officer said drop the weapon, he turned right around towards the officer, and he pointed the weapon right at the officer and that’s when the officer opened fire.”<sup>12</sup>

Civilian 4, who was in the car with Civilian 1, also gave a statement and said he heard the officer tell Mr. Yidana to put the weapon down. “The guy didn’t listen, so he told him again. And then the guy made a shooting stance. Like actually, I don’t know if he knew how to shoot, but he got into a shooting stance and actually pointed. It was kind of a rifle type weapon. So, two hands, he pointed it right at the cop.”<sup>13</sup>

Surveillance video from Mangos Restaurant depicts a portion of the confrontation. At 10:27:23 on the surveillance clock, Officer Letourneau’s cruiser came to a stop in the middle of the Pawtucket intersection. As the cruiser approached, Mr. Yidana held the suspected firearm in his right hand down by his side. Officer Letourneau took cover behind the door of his cruiser

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<sup>7</sup> Letourneau police station stmt. – pg. 6, 12.

<sup>8</sup> Letourneau police station stmt. – pg. 6. (There is an error in the transcript which reads “a shoot stance”. At 7:47 of the station interview, Officer Letourneau clearly states that Mr. Yidana took a “shooting stance...”.)

<sup>9</sup> Letourneau police station stmt. – pg. 6.

<sup>10</sup> Officer Letourneau did not activate his body worn camera until this event had largely concluded. During his interview with investigators, he provided an explanation for why it was not activated. It is not, however, our role to evaluate the merits of that explanation. While such evidence may have shed more light on certain aspects of this investigation, we are confident in our conclusions despite this gap.

<sup>11</sup> Civilian 1 stmt. – pg. 4.

<sup>12</sup> Civilian 1 stmt. – pg. 8.

<sup>13</sup> Civilian 4 stmt. – pg. 4.

and aimed his service weapon towards Mr. Yidana, who was standing in front of Slater House. Just two seconds later, Officer Letourneau repositioned himself from a standing position to a crouched position behind the open cruiser door. From 10:27:27 to 10:27:31, the view of Mr. Yidana is obstructed by a tree. At 10:27:32, Mr. Yidana comes back into view and is seen walking backwards away from Officer Letourneau while still facing his direction. From this surveillance video, it is difficult to ascertain the position of the suspected firearm in Mr. Yidana's hands. At 10:27:33, Mr. Yidana falls to the pavement in the painted crosswalk of Goff Avenue. The entire confrontation from the point Officer Letourneau steps from his vehicle to when Mr. Yidana falls is approximately six or seven seconds based upon this surveillance clock.

Surveillance video footage from Punto Lounge gives a more limited view of the incident but does fill in the gap in the Mangos video where Mr. Yidana is out of view. For the critical time leading up to the shooting, however, Officer Letourneau is not visible in the video. The angle of the surveillance camera is distant but some of Mr. Yidana's movements are captured. For example, at 10:28:50<sup>14</sup> Mr. Yidana took the "shooting stance" that witnesses and Officer Letourneau described before he backed up out of view of the camera. Importantly, nothing in the surveillance video obtained by investigators contradicts Officer Letourneau's version of events or the recollections of Civilians 1 and 4.

Lastly, on June 10, Sebastian Yidana spoke with police while in the hospital, and he confirmed much of what investigators had already learned. Investigators read him his constitutional rights which he stated he understood, and he agreed to speak with them. Mr. Yidana admitted that he bought a toy gun online that was "obviously fake" because it had a "bright orange tip".<sup>15</sup> On June 7<sup>th</sup> and 8<sup>th</sup> Mr. Yidana said he was out in the street in front of 10 Goff "having fun" and "playing around" with the toy gun by pointing it at people.<sup>16,17</sup> "I wasn't trying to hurt anybody" he said because it was an "obvious toy gun."<sup>18</sup>

On June 8<sup>th</sup> at about 10:30 a.m., Mr. Yidana said he saw police arrive and park "a good distance away...". He heard the officer tell him to "put the weapon down...and I, this whole time, thought everyone knew it was a toy gun...I never thought I was actually in danger."<sup>19</sup> Mr. Yidana then admitted that he "aimed" the gun at the officer and "he shot me."<sup>20</sup> Mr. Yidana did not think Officer Letourneau was "being serious" when he ordered him to drop the weapon because Mr. Yidana was "still in the mode of play."<sup>21</sup>

## **LEGAL ANALYSIS**

### **Applicable Law**

When considering a police officer's actions which involve the use of force in his/her capacity as a peace officer, a two-prong analysis is required. First, determine if the officer's use of force in arresting or detaining the suspect was necessary and reasonable. If the answer is yes, then the inquiry ends, and no criminal charges will stem from the incident. If, however, the

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<sup>14</sup> Det. Austin Webb determined that the surveillance camera at Punto Lounge was approximately two minutes fast. Therefore, the actual time was approximately 10:26:50 a.m..

<sup>15</sup> Yidana stmt. – pg. 7.

<sup>16</sup> Yidana stmt. – pgs. 5, 6, 10.

<sup>17</sup> Yidana has pending assault charges in Superior Court stemming from these incidents on June 7-8, 2025..

<sup>18</sup> Yidana stmt. – pg. 6.

<sup>19</sup> Yidana stmt. – pg. 7 (Transcript is incorrect in multiple places on this page. Refer to audio recording.)

<sup>20</sup> Yidana stmt. – pg. 7.

<sup>21</sup> Yidana stmt. – pgs. 7, 8.

answer is no then you move to the second prong, determining whether the officer's actions meet the elements of an applicable criminal statute, which in this case is Felony Assault under R.I. Gen. Laws §11-5-2. Since we find Officer Letourneau's use of force to be objectively reasonable, we need not address the second prong.

The Fourth Amendment protects "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." A "seizure" of a "person," can take the form of "physical force" or a "show of authority" that "in some way restrain[s] the liberty" of the person. Terry v. Ohio, 392 U.S. 1, 19 n16 (1968). An arrest or seizure of a person carries with it the right of police officers to use some degree of force. Graham v. Connor, 490 U.S. 386, 396 (1989). "All claims that law enforcement officers have used excessive force – deadly or not – in the course of an arrest ... or other 'seizure' of a free citizen should be analyzed under the Fourth Amendment and its 'reasonableness' standard...." Graham, 490 U.S. at 395; Tennessee v. Garner, 471 U.S. 1 (1985).

Law enforcement officers are permitted to use a degree of force that is "objectively reasonable" under the totality of circumstances. Id. at 8-9. Relevant facts include "the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting or attempting to evade arrest by flight." Graham, 490 U.S. at 396. The reasonableness of an officer's use of force "must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight." Graham, 490 U.S. at 396. The United States Supreme Court has held that the determination of reasonableness must allow "for the fact that police officers are often forced to make split-second judgements – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation." Graham, 490 U.S. at 396-97. Critically, the reasonableness inquiry is an objective, not a subjective, one. The "question is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation." Id. (emphasis added).

Applying these principles, Rhode Island law provides that "A police officer may use force dangerous to human life to make a lawful arrest for committing or attempting to commit a felony, whenever he or she reasonably believes that force dangerous to human life is necessary to effect the arrest and that the person to be arrested is aware that a peace officer is attempting to arrest him or her." R.I. Gen. Laws § 12-7-9. The Use of Force Policies of the Pawtucket Police Department (General Order 400.03 ) apply the legal principles set forth above. In relevant part, they provide that an officer is authorized to use lethal force to:

1. Protect him/herself, another officer, or other person(s) when the officer has a reasonable belief that an imminent threat of death or serious bodily injury exists to himself/herself, another officer, or other person(s). (Pawtucket PD General Order 400.03)

### Analysis

In applying the law set forth above to the facts as determined by the joint investigation, we find that Pawtucket Police Officer Thomas Letourneau's use of force was objectively reasonable under the circumstances. And those facts and circumstances are largely agreed upon by all the people involved in this incident. Importantly, there is no factual dispute about what Officer Letourneau faced that day.

It is uncontroverted that when Officer Letourneau arrived at the intersection outside 10 Goff Avenue in his uniform and operating a marked cruiser, he faced a man waiving what appeared to be a firearm. While it is true that the police dispatcher advised responding officers, including Officer Letourneau, that the firearm was reported to have an orange tip on the end, it was objectively reasonable for Officer Letourneau to proceed cautiously and make his own assessment. After all, eyewitnesses may be mistaken, and real firearms can appear to be replicas.<sup>22</sup>

Further, Officer Letourneau's actions evidence his belief that he was confronting an armed and dangerous suspect. He parked his marked cruiser at a significant distance from Mr. Yidana, took a protected position behind the cruiser's door and then attempted to engage with Mr. Yidana. Officer Letourneau then attempted to deescalate the situation by issuing verbal commands to Mr. Yidana. It was only after Mr. Yidana refused to comply with the uniformed officer's instructions to drop the weapon and then turned and pointed that weapon at the officer that Officer Letourneau discharged his service weapon.

Mr. Yidana's reaction to Officer Letourneau's presence and verbal commands was consistent with those of an armed suspect intending to harm responding officers. Once Mr. Yidana pointed the weapon at Officer Letourneau and assumed a shooting stance, Officer Letourneau reasonably perceived that Mr. Yidana posed a significant and lethal threat, thereby justifying the officer's use of deadly force. When a suspect's response to the arrival of a law enforcement officer is to point an apparent firearm directly at the officer, it is eminently reasonable to conclude that the suspect poses a credible threat justifying the officer's use of deadly force.

The United States Supreme Court has long recognized even if an officer's actions are predicated upon what ultimately is determined to be an erroneous perception, that the error does not necessarily mean the officer used an unreasonable amount of force. "If an officer reasonably, but mistakenly, believed that a suspect was likely to fight back, for instance, the officer would be justified in using more force than in fact was needed."<sup>23</sup> Saucier v. Katz, 533 U.S. 194, 205 (2001). The critical determinant is, therefore, was the officer's mistaken impression reasonable. Here the evidence indicates that it was. Officer Letourneau did not know for certain the firearm held by Mr. Yidana was a toy until the incident had concluded. The orange tip on the replica is not clearly visible from that distance and the orange shirt that Mr. Yidana was wearing would further shield it from Officer Letourneau's view. And as stated above, by ignoring his commands and pointing the gun at Officer Letourneau, Mr. Yidana acted like someone who had a real firearm and was prepared to use it. Therefore, Officer Letourneau's belief that he was facing an armed shooter was objectively reasonable.

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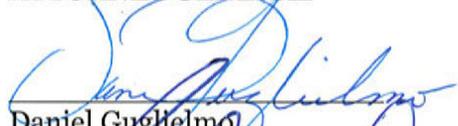
<sup>22</sup> See #69 in "Evidence Reviewed" listed above.

<sup>23</sup> Also, the seminal Fourth Amendment police officer use of force case of Graham v. Connor quoted above involved an arrest by Officer Connor of Mr. Graham under the mistaken belief that Graham had just robbed a convenience store. The truth was that Mr. Graham was diabetic and needed some orange juice to counteract an "insulin reaction." Graham entered a convenience store but quickly exited because the line was too long for him to wait in his medical condition. Graham's actions aroused the suspicions of Officer Connor who stopped Graham's car which led to his arrest. Graham v. Connor, 490 U.S. 388-89.

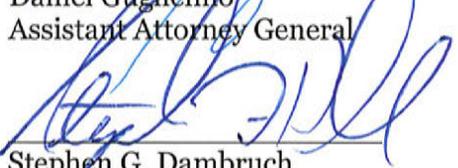
## CONCLUSION

Our review of the investigation conducted by Pawtucket and Rhode Island State Police Departments concludes that the use of force by Officer Thomas Letourneau was objectively reasonable and legally justified under the totality of the circumstances. Officer Letourneau gave Mr. Yidana a chance to defuse the situation and end it peacefully by issuing commands to drop the weapon. Mr. Yidana's mistaken belief that no one would feel threatened by him was both misplaced and inherently unreasonable. He created a very dangerous situation to the public, himself and the responding officers. Officer Letourneau made a quick decision under intense pressure and danger which, given the circumstances confronting him, was an objectively reasonable one. Therefore, this Office finds that his use of force was legally justified, and this matter is closed.

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