



# INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved Death in  
Baltimore on February 24, 2026

June 4, 2026

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## **Declination Report Concerning the Officer-Involved Death of Dwight Hawkins on February 24, 2026**

The Independent Investigations Division of the Maryland Office of the Attorney General (the “IID”) is charged with investigating “police-involved incidents that result in the death of individuals or injuries likely to result in the death of an individual.”<sup>1</sup> If the Attorney General determines that the investigation provides sufficient grounds for prosecution, then the IID “shall have exclusive authority to prosecute the offense.”<sup>2</sup>

### **I. Introduction**

On February 24, 2026, at 6:15 p.m., three officers with the Baltimore City Police Department (BPD) Group Violence Unit (GVU) entered a store in the 3600 block of Belair Road in Baltimore, Maryland. When a man exited the store shortly after the officers entered, the officers followed him. The man began to run from the officers. Officers gave the man multiple commands to stop and show his hands, but the man did not comply. As the man continued to run, he pulled out a handgun, coming in close proximity to one of the officers. Two officers fired their service weapons, striking the man. Officers rendered emergency medical aid until emergency medical services (EMS) arrived on scene. The man was transported to a nearby hospital, where he was later pronounced dead. A handgun was recovered near the man.

After completing its investigation, the Office of the Attorney General has determined that there is insufficient evidence to prove beyond a reasonable doubt that the subject officers committed a crime under Maryland law. Accordingly, the Attorney General has declined to prosecute the subject officers in this case.

The IID’s investigation focused exclusively on potential criminal culpability relating to the subject officers’ conduct. The IID’s analysis does not consider issues of civil liability or the department’s administrative review of the officers’ conduct. Compelled statements by subject officers may be considered in civil or administrative processes but may not be used in criminal prosecutions due to the subject officers’ Fifth Amendment rights. If any compelled statements exist in this case, they have not been considered in the IID’s investigation.

This report is composed of a factual narrative followed by a legal analysis. Every fact in the narrative is supported by the evidence obtained in this investigation, including forensic and autopsy reports, police radio transmissions, dispatch records, police and EMS reports, police body-worn camera footage, photographs, department policy, and interviews with civilian and law enforcement witnesses. The subject officers did not make a statement in this case, which had no impact on the prosecutorial decision. The legal analysis explains why the IID will not bring charges under the relevant Maryland statutes.

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<sup>1</sup> Md. Code, State Gov’t § 6-602 (c)(1).

<sup>2</sup> Md. Code, State Gov’t § 6-604 (a)(1).

This investigation involved one decedent and two subject officers.

- A. The decedent, Dwight Hawkins, was 37 years old at the time of the incident. He was a Black male who lived in Baltimore, Maryland.
- B. Detective Arthur Fuog has been employed by BPD since June 2019. He is a White male who was 28 years old at the time of the incident.
- C. Detective Omar Rodriguez has been employed by BPD since September 2018. He is a Hispanic male who was 34 years old at the time of the incident.

The IID reviewed the available departmental disciplinary records and criminal histories for these parties and, where they existed, determined none were relevant to this investigation.

## II. Factual Summary

On the evening of February 24, 2026, three BPD GUV detectives—Detectives Arthur Fuog, Omar Rodriguez, and a third detective—were working an overtime assignment as crime suppression officers in the Eastern District. They dressed in plain clothing with tactical vests marked “police.” Just before 6:15 p.m., Detective Fuog radioed dispatch that they would be going on foot patrol in a location within their assigned area, the 3600 block of Belair Road.

At roughly the same time, Dwight Hawkins entered a store on the 3600 block of Belair Road. The three GUV detectives entered the store a few moments after Hawkins and positioned themselves around the store, facing Hawkins. Detective Fuog stood near the front counter, Detective Rodriguez stood to the right of the doorway, and the third detective stood in the doorway. The three detectives observed Hawkins for the next twenty seconds but did not speak to him.

Hawkins pulled out money and began to approach the store’s counter. A few seconds later, however, he placed his money in his pocket and exited the store. Hawkins began walking on the sidewalk along Belair Road toward Pelham Avenue. As Hawkins left the store, Detective Rodriguez followed him and called out, “You’re not buying anything? Hey, you’re not buying nothing, brother?” Hawkins did not respond; instead, he walked at a quicker pace toward Pelham Avenue. The three GUV detectives continued

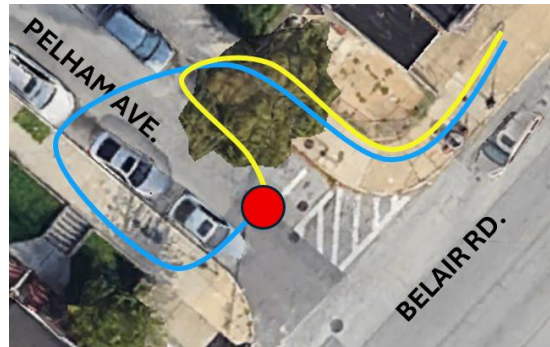


*Images 1 & 2:* Still photos from a surveillance camera and Det. Rodriguez’s body-worn camera, showing Hawkins (circled in blue) and the GUV detectives (circled in yellow) inside the store.

to follow Hawkins, matching his increased pace.

Hawkins began to run, and the three GVV detectives chased after him. The foot chase lasted approximately ten seconds. Throughout the chase, Detectives Rodriguez and Fuog repeatedly ordered Hawkins to show his hands and keep his hands out of his waistband, but Hawkins did not comply. About eight seconds after he began running from the detectives, Hawkins pulled out a handgun as he crossed Pelham Avenue. Detective Rodriguez drew his department-issue handgun.

Detective Fuog crossed Pelham Avenue and ran toward Hawkins, while still shouting verbal commands for Hawkins to show his hands. As Detective Fuog and Hawkins got closer to each other, Detective Fuog yelled “Gun! Gun! Gun!” and drew his department-issue handgun. Hawkins, while holding his handgun in his right hand, extended his left hand toward Detective Fuog’s gun. Detectives Fuog and Rodriguez both fired their weapons multiple times. Several rounds struck Hawkins, who fell to the ground.



*Image 3:* An overhead view of the path of the foot chase. The path taken by Hawkins and Detective Rodriguez is marked in blue, while Detective Fuog’s path is marked in yellow. The red circle represents the approximate location of the shooting.

The detectives radioed dispatch that shots had been fired. Over the next several minutes, Detective Rodriguez recovered Hawkins’s gun, and Detective Fuog provided medical aid to Hawkins until he was relieved by responding officers. When EMS medics arrived a short time later, they transported Hawkins to a local hospital, where he was pronounced deceased.



*Images 4 & 5:* Still photographs from Detective Fuog’s (L) and Detective Rodriguez’s (R) body-worn camera, showing Hawkins holding a handgun in his right hand (circled in red), while extending his left hand near Detective Fuog’s handgun.

### III. Supplemental Information

#### A. Autopsy

The Office of the Chief Medical Examiner (the “OCME”) performed an autopsy on Hawkins on February 25, 2026. The Medical Examiner determined that Hawkins died from multiple gunshot wounds to his head, torso, right arm, and legs. The manner of death was ruled a “Homicide.”<sup>3</sup> There was no evidence of soot deposition or gunpowder stippling on any of the wounds, meaning that Hawkins was not shot at close range. The OCME toxicology tests detected methamphetamine in Hawkins’s body, and a blood alcohol content between 0.22 and 0.28.

#### B. Ballistics

BPD Crime Scene Unit technicians responded to the scene and recovered Detective Fuog’s department-issue Glock 9mm handgun, Detective Rodriguez’s department-issue Glock .40 caliber handgun, and Hawkins’s Star Firestar Plus 9mm handgun. Additionally, technicians recovered eight live 9mm cartridges from Hawkins’s handgun, nine spent 9mm cartridge cases from Detective Fuog’s handgun, and seven spent .40 caliber cartridge cases from Detective Rodriguez’s handgun.



*Image 6:* A photograph of the 9mm handgun recovered from Hawkins.

The BPD Forensic Laboratory Section conducted a firearms analysis on the weapons and cartridge cases recovered from the scene. Forensic testing confirmed that both the subject officers’ department-issued handguns and Hawkins’s handgun were operable.

#### C. Department Policy

BPD has policies on the use of force, including the use of deadly force (Policy 1115) and the use of firearms (Policy 409). These two policies state an officer “shall use only the force Reasonable, Necessary, and Proportional to respond to the threat or resistance to effectively and safely resolve an incident and will immediately reduce the level of force as the threat or resistance diminishes.”

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<sup>3</sup> Manner of death is a classification used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined causes. The Maryland Office of Chief Medical Examiner uses five categories of manner of death: natural, accident, suicide, homicide, and undetermined. “Homicide” applies when death results from a volitional act committed by another person to cause fear, harm, or death. These terms are not considered a legal determination, rather they are largely used to assist in the collection of public health statistics. “A Guide for Manner of Death Classification,” First Edition, National Association of Medical Examiners, February 2002.

The policies define those terms as follows:

- Reasonable: “A member uses Reasonable Force when the member uses no more force than required to perform a lawful purpose.”
- Necessary: “Force is necessary only when no reasonably effective alternative exists.”
- Proportional: “Proportionality measures whether the force used by the member is rationally related to the level of resistance or aggression confronting the member.”

The use of force policy specifies that “[t]he use of Deadly Force/Lethal Force shall always be the last resort,” and shall occur only when officers “reasonably believe such action is immediately necessary to protect a member or another person from an Imminent Threat of death or Serious Physical Injury.”

#### **IV. Legal Analysis**

After a criminal investigation, the IID must determine whether to bring criminal charges against a person to hold them accountable pursuant to Maryland law. When making that determination, we have a legal and ethical duty to charge a person with a crime only when we can meet the State’s burden of proof; that is, when the available evidence can prove each element of that crime beyond a reasonable doubt. We must also determine whether the accused person could raise an affirmative defense. In those cases, the IID not only needs to prove the crime, but also needs to determine whether the evidence could disprove the defense beyond a reasonable doubt. Ultimately, the decision to bring any charges rests on whether the available evidence is sufficient for us to meet those standards.

Based on the evidence, three relevant offenses were considered in this case. First is the violation of Maryland’s Use of Force Statute, which makes it a crime for officers to intentionally use excessive force.<sup>4</sup> The second and third offenses are homicide related charges based on the intentional killing of another person.<sup>5</sup>

There is insufficient evidence to prove that the subject officers violated the aforementioned statutes. Accordingly, the IID will not pursue criminal charges against them. This report explains in further detail why, based on the evidence, we cannot prove beyond a reasonable doubt that Detectives Fuog and Rodriguez committed a crime.

##### **A. Maryland Use of Force Statute**

Proving a violation of the Use of Force Statute requires the IID to establish beyond a reasonable doubt that a subject officer:

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<sup>4</sup> See Md. Code, Public Safety § 3-524(i)(1 & 2).

<sup>5</sup> MPJI-Cr 4:17; MPJI-Cr 4:17.2.

- (1) used force that was not necessary and proportional to prevent an imminent threat of physical injury to themselves or another person, or to accomplish a legitimate law enforcement objective;
- (2) intended to use force that was excessive, *i.e.*, not necessary and proportional under the circumstances; and
- (3) the use of excessive force resulted in serious bodily injury or death.<sup>6</sup>

Determining whether an officer’s use of force is “necessary and proportional” to prevent an imminent threat of physical injury to someone or accomplish a legitimate law enforcement objective is a fact-specific inquiry. Generally speaking, a use of force is considered “necessary and proportional” when an officer had no reasonable alternative available to the officer under the circumstances, the kind and degree of force was appropriate in light of the officer’s legitimate law enforcement objective, and it was not likely to result in harm that was out of proportion or too severe in relation to the officer’s law enforcement objective, given the context in which it was used.<sup>7</sup> When a factfinder—either a judge or a jury—conducts this analysis, they must consider the totality of the circumstances, including, but not limited to, the nature of the call for service, what occurred in the moments before force was used, what the subject officers knew at the time force was used, the time and distances involved, and whether the officer unnecessarily escalated the situation or created the moment that required the use of force.<sup>8</sup>

Based on the totality of the circumstances, there is insufficient evidence to prove beyond a reasonable doubt that the subject officers used force beyond what was necessary and proportional to address the threat that Hawkins posed when he drew a firearm. Hawkins ran from the detectives, ignored commands to show his hands and keep them away from his waistband, and drew a handgun. At that point, the detectives had probable cause to arrest Hawkins. Further, while holding a handgun, Hawkins reached with his other hand toward Detective Fuog’s handgun, presenting an additional threat of serious bodily harm or death to Detective Fuog.

In sum, given the available evidence, the IID could not prove beyond a reasonable doubt that the subject officers violated the Use of Force Statute. Accordingly, the Office of the Attorney General will not charge them with a violation of the Use of Force Statute.

## B. Homicide Offenses

When a person is killed, there are four homicide charges that a prosecutor may consider in the State of Maryland:

- First Degree Murder: the willful, deliberate, and premeditated killing of another.<sup>9</sup>

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<sup>6</sup> MPJI-Cr 4:36.

<sup>7</sup> For a more detailed discussion of the “necessary and proportional” standard, see [this opinion](#) written by the Office of the Attorney General. 107 Op. Atty. Gen. Md. 33 (2022).

<sup>8</sup> *Id.*; see also *Barnes v. Felix*, 605 U.S. 73, 80 (2025) (“[T]he ‘totality of the circumstances’ inquiry into a use of force has no time limit... earlier facts and circumstances may bear on how a reasonable officer would have understood and responded to later ones.”).

<sup>9</sup> MPJI-Cr 4:17.

- Second Degree Murder: when the defendant intended to kill or inflict such serious injury that death would be the likely result and there was no justification or mitigating circumstances.<sup>10</sup>
- Voluntary Manslaughter: an intentional killing that is not murder because the defendant acted in partial self-defense.<sup>11</sup>
- Involuntary Manslaughter: when the defendant acted with gross negligence and that conduct caused the death of another.<sup>12</sup>

First Degree Murder was not considered in this case because it requires proof that the shooting of Hawkins was premeditated. To prove premeditation, “the design to kill must have preceded the killing by an appreciable length of time, that is, time enough to be deliberate.”<sup>13</sup> While this inquiry requires a fact-specific evaluation, a factfinder should consider the totality of the circumstances, including whether an individual is defending themselves or another against deadly force.<sup>14</sup> There is no evidence to indicate that this shooting was premeditated.

Involuntary manslaughter, meanwhile, only applies to grossly negligent or reckless acts that result in death, as opposed to the intentional act of killing another; as such, the offense is inapplicable in this case. As the shooting of Hawkins was intentional, but not premeditated, Second-Degree Murder and Voluntary Manslaughter are the homicide offenses that remain for consideration.

Here, evidence of legal justification for self-defense and the defense of others precludes a prosecution of the remaining homicide offenses against the subject officers.<sup>15</sup> Complete self-defense and defense of others exists when the accused: (1) was not the initial aggressor (or did not raise the level of force to deadly force); (2) had the subjective belief that they or another person were in immediate or imminent danger of serious harm or death; (3) that belief was objectively reasonable; (4) used force that was not more than what was reasonably necessary in light of the threat or actual force; and (5) used force for the purpose of aiding the person that they were defending.<sup>16</sup> Complete self-defense and defense of others are affirmative defenses, which means that the IID must prove beyond a reasonable doubt that one of the elements of the defense is not applicable.

When an officer has sufficient probable cause to believe that a person poses a “threat of serious physical harm,” then the officer may use deadly force,<sup>17</sup> and the reasonableness of that

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<sup>10</sup> MPJI-Cr 4:17.2.

<sup>11</sup> *Id.*

<sup>12</sup> MPJI-Cr 4:17.8.

<sup>13</sup> See *Tichnell v. State*, 287 Md. 695, 717 (1980); see also *Purnell v. State*, 250 Md. App 703, 714-715 (2021) .

<sup>14</sup> See, e.g., *Randall v. Peaco*, 175 Md. App. 320, 331 (2007) (citing *Graham v. Connor*, 490 U.S. 386, 396 (1989)) (“The test of reasonableness under the Fourth Amendment [...] requires careful attention to the facts and circumstances of each particular case, including 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 arrest or attempting to evade arrest by flight.”).

<sup>15</sup> See *Porter v. State*, 455 Md. 220, 234-36 (2017); MPJI-Cr 4:17.2; MPJI-Cr 4:17.3.

<sup>16</sup> *Id.*

<sup>17</sup> *Estate of Blair by Blair v. Austin*, 469 Md. 1, 23-24 (2020) (quoting *Tennessee v. Garner*, 471 U.S. 1, 11 (1985)).

decision must be viewed from “the perspective of a reasonable police officer similarly situated.”<sup>18</sup> In practice, this means that a factfinder must consider that police officers often work under rapidly changing circumstances and that what constitutes a reasonable use of force may change from moment to moment.<sup>19</sup>

Given the evidence presented here, the IID could not disprove the elements of perfect self-defense or defense of others. Detectives Fuog and Rodriguez were not the aggressors; instead, they were attempting to lawfully detain Hawkins.<sup>20</sup> Hawkins fled from the detectives and drew a handgun. Further, while armed, Hawkins reached a hand toward Detective Fuog’s gun, presenting an additional imminent threat of serious injury or death to Detective Fuog. Detective Fuog also repeatedly yelled “Gun!” to other officers, showing that Detective Fuog perceived the threat posed by Hawkins.

Against this backdrop, the subject officers’ actions do not constitute the crime of second-degree murder or voluntary manslaughter. We cannot overcome the elements of complete self-defense or defense of others. Accordingly, the Office of the Attorney General will not charge Detectives Fuog and Rodriguez with a homicide offense.

## **VI. Conclusion**

This report has presented factual findings, legal analysis, and conclusions relevant to the February 24, 2026, police-involved death of Dwight Hawkins in Baltimore, Maryland. The Office of the Attorney General has declined to pursue charges in this case because, based on the evidence obtained in its investigation, there is insufficient evidence to prove beyond a reasonable doubt that Detectives Arthur Fuog and Omar Rodriguez committed a crime.

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<sup>18</sup> *State v. Albrecht*, 336 Md. 475, 501 (1994); *State v. Pagotto*, 361 Md. 528, 555 (2000).

<sup>19</sup> *Id.*

<sup>20</sup> *See Washington v. State*, 482 Md. 395, 449-53 (2022).