



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved Death
in Prince George's County on July 1, 2026

September 24, 2026

Public Release: October 2, 2026

Declination Report Concerning the Police-Involved Death of Michael Stephen MacDougall on July 1, 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 death.”¹ If the Attorney General determines that the investigation provides sufficient grounds for prosecution, then the IID “shall have exclusive authority to prosecute the offense.”²

I. Investigation Summary

On July 1, 2026, the IID began an investigation of the death of Michael Stephen MacDougall that occurred following a period of restraint by law enforcement officers in Greenbelt, Maryland.³ The initial response to the incident on July 1st involved the United States Park Police (USPP), with the subsequent involvement of the Greenbelt Police Department (GPD). Under Maryland law, the IID only has authority to investigate Maryland police officers involved in incidents that result in the death of an individual or injuries likely to result in the death of the individual. Thus, the IID’s investigation focused exclusively on potential criminal culpability relating to the conduct of GPD Officer Tyler Fahey.⁴

During the investigation, the IID obtained evidence, including police radio transmissions, dispatch records, police and EMS reports, witness statements, police body-worn camera footage, photographs, department policies and training records, and an autopsy report.⁵ Based on that evidence, the IID has made the following factual findings.

At approximately 9:59 p.m. on July 1, 2026, a USPP officer was sitting at a red stoplight at the off-ramp of Exit 193 from Maryland Highway 295 (the Baltimore-Washington Parkway) at Southway, in Greenbelt, Maryland. The officer heard a scraping sound behind him and observed a 2011 Ford Fusion with Delaware tags pull off the exit at a high speed, drive past the officer’s patrol vehicle, cross a grass median, and drive straight across Southway and into a heavily wooded area. *See Image 1.*

The USPP officer reported the accident on his radio to both USPP and GPD, requested assistance from GPD and emergency medical services (EMS), and immediately entered the wooded area on foot to locate the car.



Image 1: Map showing the path of the car as it exited the Parkway and crashed in the woods.

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

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

³ Mr. MacDougall was a 40-year-old white male and a resident of Millsboro, Delaware.

⁴ Officer Fahey is a 26-year-old white male and has been employed with GPD since February 2022.

⁵ Compelled statements by a subject officer may not be relied upon in criminal prosecutions due to the subject officer’s Fifth Amendment rights. If any compelled statements exist in this case, they have not been considered in the IID’s investigation. Further, the subject officer declined to make a statement to the IID in this case, which had no impact on the prosecutorial decision.

Moments later, a second USPP officer entered the woods to assist.

The following events were captured on the officers' body-worn cameras. The officers located the driver, Michael Stephen MacDougall, sitting in the driver's seat. Mr. MacDougall was groaning, breathing heavily, visibly sweating, and jerking around. Based on Mr. MacDougall's appearance and behavior, the USPP officers believed he was under the influence of some substance and asked Mr. MacDougall what he had taken. Mr. MacDougall was unable to give a coherent response. The officers also located a three-month-old infant in the backseat of the car. The infant appeared to have fallen out of an unsecured car seat. A USPP officer advised GPD via police radio that the driver "seems to be under the influence of drugs or alcohol" and had a child in the backseat.

One USPP officer retrieved the infant while the other USPP officer instructed Mr. MacDougall to step out of the car. Mr. MacDougall complied and was handcuffed behind his back. The USPP officer walked Mr. MacDougall out of the woods and toward the sidewalk.

GPD Officer Fahey arrived on scene at approximately 10:01 p.m. He was met by a USPP officer holding the baby, who advised Officer Fahey that the baby was alright, but the driver was "messed up on drugs." Moments later, USPP brought Mr. MacDougall out of woods and instructed him to sit down. Mr. MacDougall lay down on the ground on his left side. As described below, Officer Fahey then helped USPP officers keep Mr. MacDougall on his left side and prevent him from getting up or moving around while they waited for EMS to arrive.

At one point, Mr. MacDougall attempted to sit up and Officer Fahey pushed him by his shoulder while instructing him to "stay down." With the assistance of a USPP officer, Officer Fahey allowed Mr. MacDougall to sit up briefly while the officers held him by his shoulders before returning him to lay on his side. Mr. MacDougall continued to move and kick while on the ground. As he did, officers continued to reposition him to remain on his left side. Officer Fahey and the USPP officer held his arm and shoulder with their hands. Officer Fahey placed his left foot on Mr. MacDougall's left calf. *See Image 2.* Mr. MacDougall continued to move his body erratically, make groaning noises, and respond incoherently to questions.



Image 2: GPD Officer Fahey, left, assisting a USPP officer to keep Mr. MacDougall on the ground

holding Mr. MacDougall's legs so that Officer Fahey could retrieve leg restraints from his patrol car. At approximately 10:05 p.m., Officer Fahey returned and applied the leg restraints to Mr. MacDougall's ankles while additional USPP officers kept Mr. MacDougall on his side by holding his shoulder and thigh. *See Image 3.* Officer Fahey placed his left knee on Mr. MacDougall's right leg to restrain him as Officer Fahey secured the leg restraints. Once the leg restraints were secured, Officer Fahey continued to hold Mr. MacDougall in place with

As Mr. MacDougall continued to struggle, Officer Fahey asked another USPP officer to take over



Image 3: USPP officers attempted to keep Mr. MacDougall on his left side while they waited for EMS to arrive

his right hand on Mr. MacDougall's left ankle and left hand on his right calf while USPP officers stood next to Mr. MacDougall with his hands on Mr. MacDougall's shoulder and thigh. *See Image 4.*



Image 4: Image from Officer Fahey's body-worn camera showing him holding Mr. MacDougall's left ankle and right calf

Mr. MacDougall continued to lie on his left side on the ground. While Officer Fahey held Mr. MacDougall's feet, USPP officers discussed whether to sit him up and determined it was better to keep him on his side in recovery position for his own safety while they waited for EMS to arrive.⁶ At approximately 10:07 p.m., Mr. MacDougall became unresponsive. Based on the suspected drug overdose, USPP officers administered Narcan to Mr. MacDougall. Officers then sat Mr. MacDougall up, removed his handcuffs, and summoned EMS, who had arrived on the scene. Mr. MacDougall was loaded into the ambulance and EMS administered CPR en route to the hospital. Mr. MacDougall was pronounced deceased at the hospital at 10:45 p.m.

On July 2, 2026, the Office of the Chief Medical Examiner performed an autopsy on Mr. MacDougall. The Medical Examiner determined that Mr. MacDougall died from "Combined effects of Methadone and Amphetamine." The manner of death was ruled an "Accident." The OCME further determined that "the restraint applied by law enforcement was not contributory towards his death."

After evaluating the available evidence, the Office of the Attorney General has determined that the subject officer did not commit a crime under Maryland law. Accordingly, the Attorney General has declined to prosecute the subject officer.

II. Legal Analysis

After a criminal investigation, prosecutors must determine whether to bring criminal charges against a person. When making that determination, prosecutors have a legal and ethical duty to only charge a person with a crime when they 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.

Based on the evidence, two relevant offenses were considered in this case: violation of Maryland's Use of Force statute and involuntary manslaughter.⁷ Neither charge is warranted because the IID's investigation did not identify any evidence that the subject officer's conduct caused Mr. MacDougall's death. Further, the IID's investigation did not find that the subject officer used force beyond what was necessary or proportionate or that he acted negligently.

First, to establish a violation of Maryland's Use of Force Statute, a prosecutor must establish beyond a reasonable doubt that a subject officer: (1) used force that was not necessary and proportional to prevent an imminent threat of physical injury to themselves or another person,

⁶ Recovery position refers to the first aid technique of placing a person on their side to promote breathing and prevent choking.

⁷ Because there is no evidence that the officer intentionally caused Mr. MacDougall's death, the IID did not consider any other homicide charges in this matter.

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) used excessive force that resulted in serious bodily injury or death.⁸

Determining whether an officer's use of force is "necessary and proportional" to prevent an imminent threat of physical injury to someone or to 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 under the circumstances, the degree of force was appropriate in light of the officer's legitimate law enforcement objective, and given the context, the force was not likely to result in harm that was out of proportion or too severe in relation to the officer's law enforcement objective.⁹ 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 officer knew at the time force was used, and the time and distances involved.¹⁰

Here, Officer Fahey used some amount of force when he used his hands to hold Mr. MacDougall down on the ground and prevent him from getting up, and later when he applied leg restraints to Mr. MacDougall in a further effort to restrain him. There is insufficient evidence to prove that Officer Fahey used force beyond what was necessary and proportional to prevent Mr. MacDougall from either injuring himself as he tried to get up from the ground or injuring others as he kicked and jerked around on the ground. There is likewise insufficient evidence to prove that the force GPD Officer Fahey used was either unnecessary or disproportionate to detain Mr. MacDougall—a legitimate law enforcement objective—after he had crashed his car due to apparent intoxication only moments earlier. Finally, there is no evidence to establish that the force used by Officer Fahey caused Mr. MacDougall's death.

As for the second potential offense, involuntary manslaughter, a prosecutor must prove beyond a reasonable doubt that (1) Officer Fahey acted in a grossly negligent way, and (2) that gross negligence caused the Mr. MacDougall's death.¹¹ Gross negligence is conduct that demonstrates a "wanton and reckless disregard for human life."¹² The evidence in this investigation does not support a charge that Officer Fahey acted negligently. Rather, Officer Fahey used force that was reasonable under the circumstances to assist USPP officers in restraining Mr. MacDougall, both for his safety and in relation to his potential criminal conduct. In addition, the officers, including Officer Fahey, made efforts to keep Mr. MacDougall on his side, in recovery position, during the time he was restrained. Finally, there is no evidence that Officer Fahey's conduct caused Mr. MacDougall's death.

⁸ See Md. Code, Public Safety § 3-524(d)(1).

⁹ 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).

¹⁰ *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.").

¹¹ MPJI-Cr 4:17.9 (3d ed. 2024).

¹² See *State v. Thomas*, 464 Md. 133,153 (2019) (explain that to be grossly negligent, "[t]he act must 'manifest[] such a gross departure from what would be the conduct of an ordinarily careful and prudent person under the same circumstances so as to furnish evidence of indifference to the consequences' (second alteration in original)).

III. Conclusion

This report has presented factual findings, legal analysis, and conclusions relevant to the July 1, 2026, death of Michael MacDougall in Greenbelt, Maryland. The Office of the Attorney General has declined to pursue charges in this case because the evidence obtained in the IID's investigation does not establish that the subject officer committed a crime or caused Mr. MacDougall's death.