



**INDEPENDENT INVESTIGATIONS
DIVISION**

Report Concerning the Police-Involved Death in
Charles County on February 11, 2026

March 27, 2026

Public Release: April 9, 2026

Declination Report Concerning the Police-Involved Death of Demarcus Irish on February 11, 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. Introduction

On February 11, 2026, at approximately 2:30 p.m., Sergeant Andrew Coulby and Private First Class (PFC) Brennan Kunz, two officers with the Domestic Violence Unit of the Charles County Sheriff’s Office (“CCSO”), deployed to White Plains, Maryland to locate Demarcus Irish, the subject of an arrest warrant and an unserved protective order. Mr. Irish had been the subject of multiple police reports in the days prior to this call, including reports for malicious destruction of property and for breaking and entering at the residence of his former girlfriend, identified herein as “Jane Doe.”³ In connection with these reports, CCSO officers spoke with Ms. Doe, who said that she had recently broken up with Mr. Irish and that she was concerned for her safety and the safety of her children.

When CCSO officers reached the scene on February 11, they located Mr. Irish near Doe’s residence. Officers issued law enforcement commands, but Mr. Irish refused to comply. Instead, Mr. Irish displayed a machete, which he raised in the air. When Mr. Irish moved towards the officers with the machete raised in a striking position, both officers opened fire and discharged multiple rounds. Mr. Irish was shot only feet from one of the officers. Officers removed a tactical vest worn by Mr. Irish and provided medical aid until emergency medical services reached the scene. Mr. Irish was pronounced dead on the scene.

The incident was captured on body-worn cameras used by the two CCSO officers. The provision of medical aid also was captured on video. An eyewitness provided information consistent with the video footage.

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

The IID’s investigation focused exclusively on potential criminal culpability relating to the subject officers’ conduct. By statute, the IID only has jurisdiction to investigate the actions of police officers. Moreover, the IID’s analysis does not consider issues of civil liability or the department’s administrative review of the subject officers’ conduct. Compelled statements by

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

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

³ For the duration of this report, the woman will be referred to by the pseudonym Jane Doe to protect her privacy.

subject officers may be considered in civil or administrative proceedings 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. The narrative is supported by evidence obtained in this investigation. The subject officers in this case chose not to make a statement to the IID; this choice had no impact on the prosecutorial decision. The legal analysis explains why the IID will not bring charges under the relevant Maryland statutes.

This investigation involved one decedent and two subject officers:

- A. The decedent, Demarcus Irish, was 36 years old at the time of the incident. He was a Black male who lived in Clinton, Maryland.
- B. Private First Class (PFC) Brennan Kunz has been employed by CCSO since July 2010. He is a White male who was 43 years old at the time of the incident.
- C. Sergeant Andrew Coulby has been employed by CCSO since July 2013. He is a White male who was 35 years old at the time of the incident.

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

II. Factual Summary

Between February 4 and February 9, 2026, the Charles County Sheriff's Office received multiple calls for service for alleged criminal conduct by Demarcus Irish.⁴ On February 4, CCSO officers responded to a call for a burglary and vandalism at Doe's residence. On February 5, at approximately 3:00 a.m., Doe called 911 to report that Irish was actively attempting to break into her residence. Doe told officers that she had recently ended her relationship with Irish and had obtained a protective order. When CCSO officers responded to the scene, they found surveillance camera video footage that captured Irish attempting to kick in the front door. CCSO officers also observed damage to Doe's residence and to the tires of Doe's vehicle. Irish was no longer on the scene, and officers were unable to locate him after canvassing the area. Several hours later, at approximately 9:00 a.m., a CCSO supervisor responding to a suspicious person call observed Irish near Doe's neighborhood. Irish refused to speak to the supervisor and walked away, stating that he did not like the police.

On February 6, CCSO received a call for a burglary in progress at Doe's residence. A witness reported seeing Irish enter the backyard and garage of Doe's residence. Officers at Doe's residence observed damage to two window screens and to a door camera. Irish reportedly fled the

⁴ In addition, officers responded to Doe's residence on October 5, 2025, for a report of a fight in progress. Irish reportedly was involved in an altercation with Doe's cousin. At the scene, Doe stated that she was concerned that Irish might return and be physically aggressive towards her or her children.

scene in a car driven at a high rate of speed. One of the responding officers located Irish's suspected vehicle and tried to initiate a traffic stop. The car did not stop. The officer started a vehicle pursuit that was terminated by a supervisor. Officers were advised that Irish also had evaded service of Doe's protective order.

On February 9, CCSO officers conducted a walk-through of Doe's residence after she observed an open window upon her return to her home. Inside the residence, the officers found extensive damage to Doe's furniture, appliances, and personal items. While CCSO officers were on the scene, Irish made repeated attempts to contact Doe by cell phone. Doe told CCSO officers that, in the wake of threats by Irish, she and her children had not been home for four days and she feared for their safety. Doe said that Irish was not in his right state of mind, as he was acting erratically and unpredictably.

The Southern Maryland Information Center issued an informational bulletin on February 9 naming Irish as a wanted subject with an open criminal warrant for malicious destruction of property.⁵ The bulletin advised law enforcement that Irish had entered Doe's residence and damaged property inside, and that officers had responded to Doe's residence multiple times the previous week for incidents involving Irish. Further, the bulletin stated that officers had a phone call with Irish while responding to one of these incidents, during which Irish stated that he was armed, on his way to Doe's residence, and planning to shoot anyone in his way.

On February 11, CCSO officers learned that Irish was once again in the area of Doe's residence. CCSO Sergeant Andrew Coulby and CCSO PFC Brennan Kunz, both of the Domestic Violence Unit, were dispatched to the area. The CCSO officers found Irish and observed that he appeared to be wearing body armor.

According to an eyewitness, who was working in the area and only ten to fifteen feet from the scene, Irish was carrying items in his arms when the officers arrived. The officers told Irish to "drop everything." Irish moved towards the officers. Irish pulled out a "big knife," which he began to swing in an attempt to stab the officers. According to the eyewitness, Irish was within five feet of the officers when he was swinging the "big knife." After the officers yelled for Irish to "drop the knife" and put his "hands up," they discharged their weapons. Irish fell to the ground.

⁵ The Southern Maryland Information Center is tasked with collecting, evaluating, and disseminating information on known or suspected criminal violators to law enforcement agencies in Calvert, Charles, and St. Mary's counties.

Video footage from the body-worn cameras worn by Sergeant Coulby and PFC Kunz confirmed the information provided by the eyewitness. The videos showed Irish draw out a machete and raise it above his head in a striking position. Irish appeared to swing the machete. Irish disregarded law enforcement commands and moved within feet of the officers, with the machete in a position to strike the nearest officer, Sergeant Coulby. Both officers fired multiple rounds. Irish fell to the ground with multiple gunshot wounds.



Image 1: Still image from Sergeant Coulby's body-worn camera.



Image 2: Still image from the body-worn camera worn by PFC Kunz.



Image 3: Still image from the body-worn camera worn by Sergeant Coulby.

CCSO officers removed Irish's tactical vest, identified multiple injuries, and provided medical care until emergency medical services (EMS) reached the scene. Following their arrival, EMS pronounced Irish deceased.

III. Supplemental Information

A. Autopsy

On February 12, 2026, the Office of the Chief Medical Examiner (OCME) performed an autopsy of Mr. Irish. The medical examiner determined that multiple gunshot wounds were the

cause of death for Mr. Irish. The medical examiner concluded that Mr. Irish's manner of death was "Homicide."⁶

B. Firearms Recovery and Ballistics Information

Maryland State Police ("MSP") Crime Scene technicians processed the scene. Technicians secured and preserved the subject officers' weapons and cartridge casings from the shooting. Ten cartridge casings were recovered from the scene that matched Sergeant Coulby's rifle. Seven cartridge casings were recovered that matched PFC Kunz's handgun.

C. Department Policy

The Charles County Sheriff's Office has written policies that provide guidance for their officers on the use of force and the use of deadly force. Section 3-800 of the CCSO Administrative and Operations Manual sets forth the agency's use of force policy. It provides, in relevant part, that: "Employees may not use force against a person unless, under the totality of the circumstances, the force is necessary and proportional to prevent an imminent threat of physical injury to a person or to effectuate a legitimate law enforcement objective." Section 3-800.4 covers Lethal Force, which may be used, *inter alia*, "to protect oneself from death or serious physical injury; and/or to protect another from death or serious physical injury." Section 3-810 addresses the Use of Firearms and provides that, "[w]hen necessary, the officer's firearm shall be aimed center of mass, as taught in Agency firearms training. The employee will cease firing when the threat no longer exists."

IV. 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. Prosecutors also must determine whether the accused person could raise an affirmative defense. In those cases, prosecutors not only need to prove the crime, but they also must disprove the defense beyond a reasonable doubt. Ultimately, the decision to bring any charges rests on whether the available evidence is sufficient for prosecutors to meet those standards.

Based on the evidence, three relevant offenses were considered in this case. First is a violation of Maryland's Use of Force Statute, which makes it a crime for officers to intentionally

⁶ 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 OCME uses five categories of manner of death: natural, accident, suicide, homicide, and undetermined. These terms are not considered a legal determination; rather, they are largely used to assist in collecting public health statistics. *A Guide for Manner of Death Classification*, First Edition, National Association of Medical Examiners, February 2002.

use excessive force.⁷ The second and third offenses are homicide-related charges for the intentional killing of a person.

There is insufficient evidence to prove that the subject officers committed the aforementioned crimes. Accordingly, the IID will not pursue criminal charges against the subject officers. This report explains in further detail why, based on the evidence, the IID cannot prove beyond a reasonable doubt that any officer committed a crime.

A. Use of Force Statute

Proving a violation of the Use of Force Statute requires a prosecutor to 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, 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

Based on the totality of the circumstances presented here, we cannot prove that the subject officers used force beyond what was necessary and proportional to prevent Mr. Irish from seriously injuring or killing an officer. The subject officers responded to the scene to apprehend Demarcus Irish, the subject of a wanted bulletin, a protective order, and an arrest warrant for malicious destruction of property. CCSO reports from the previous week indicated that Irish had threatened his ex-girlfriend, pledged to shoot anyone in his way, and warned that he did not like the police. A police report further noted that, according to Jane Doe, Irish was acting erratically, unpredictably, and not in his right state of mind. When the subject officers reached Doe's

⁷ See Md. Code, Public Safety § 3-524(d)(1).

⁸ MPJI-Cr 4:36 (3d ed. 2024).

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.*

neighborhood on February 11, they observed that Irish was armed with a machete and appeared to be wearing body armor.

As to the first element, whether the use of force was necessary, two officers observed Irish draw, brandish, and raise the machete. With the machete in a striking position, Irish moved within feet of the subject officers. He refused to comply with the subject officers' commands to drop his weapon and, instead, moved closer to Sergeant Coulby. A civilian eyewitness estimated that Irish was within five feet of Sergeant Coulby when the subject officers opened fire. This estimate appears to be consistent with the body-worn camera footage from the incident. As Irish was armed with a machete and within striking distance of Sergeant Coulby, the IID could not prove beyond a reasonable doubt that the use of deadly force was unnecessary.

Second, with respect to whether the force used was proportional to the imminent threat of harm presented, the IID could not defeat a defense claim that the force used was proportional. Under the circumstances described above, Mr. Irish presented a threat of serious bodily injury or death as he moved toward Sergeant Coulby with the machete raised in his hand. Consistent with the CCSO's Operations Manual, the subjects fired rounds that struck center mass as officers faced a threat of death or serious physical injury.

Based on the evidence presented here, the IID could not prove beyond a reasonable doubt that the subject officers' use of force was not necessary and proportional to prevent an imminent threat of physical injury. Further, the IID could not prove that the subject officers intended to use force that was excessive. Accordingly, the Office of the Attorney General will not charge the subject officers with a violation of the Use of Force Statute in this case.

B. Homicide Offenses

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.¹¹
- 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.¹²
- Voluntary Manslaughter: an intentional killing that is not murder because the defendant acted in partial self-defense.¹³
- Involuntary Manslaughter: when the defendant acted with gross negligence and that conduct caused the death of another.¹⁴

¹¹ MPJI-Cr 4:17 (3d ed. 2024).

¹² *Id.*

¹³ MPJI-Cr 4:17.2 (3d ed. 2024).

¹⁴ MPJI-Cr 4:17.9 (3d ed. 2024).

First Degree Murder was not considered in this case because there is no evidence that the shooting of Mr. Irish was premeditated. Premeditation requires a prosecutor to prove that “the design to kill must have preceded the killing by an appreciable length of time, that is, time enough to be deliberate.”¹⁵ While this inquiry requires a fact-specific evaluation, a factfinder should consider the totality of the circumstances, including whether an individual is defending themselves against deadly force.¹⁶ As the shooting of Mr. Irish was intentional, but not premeditated, Second-Degree Murder and Voluntary Manslaughter are the homicide offenses that remain for consideration.

If the evidence indicates that there is a legal justification, such as a valid self-defense claim, then a prosecutor cannot prove the remaining homicide offenses. A police officer’s use of deadly force is legally justified if it is in complete self-defense, defense of others, or in furtherance of law enforcement-related duties.¹⁷ Complete self-defense, also known as perfect self-defense, 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 were in immediate or imminent danger of serious harm or death; (3) that belief was objectively reasonable; and (4) used force that was not more than what was reasonably necessary in light of the threat or actual force.¹⁸ Complete self-defense is an affirmative defense, which means that a prosecutor must prove beyond a reasonable doubt that one of the elements of self-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.¹⁹ The reasonableness of that decision must be viewed from “the perspective of a reasonable police officer similarly situated.”²⁰ 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.²¹

The evidence in the instant matter shows that Mr. Irish drew, brandished, and raised the machete as he drew closer to the subject officers. Neither officer was the initial aggressor. Further, Irish refused to comply with the subject officers’ repeated commands to drop his weapon. Instead, Irish brandished the weapon as he drew within feet of the subject officers. Under the circumstances, the IID cannot disprove a claim by the subject officers that they reasonably believed that Irish presented an immediate danger of serious harm or death. Further, we cannot prove that this belief was objectively unreasonable.

Based on the investigation, the actions of the subject officers do not constitute the crime of second-degree murder or voluntary manslaughter. We cannot overcome the elements of complete

¹⁵ *Tichnell v. State*, 287 Md. 695, 717 (1980).

¹⁶ *See Purnell v. State*, 250 Md. App 703, 714-715 (2021).

¹⁷ *Id.*; MPJI-Cr 4:17.3 (3d ed. 2024).

¹⁸ *Porter v. State*, 455 Md. 220, 234-36 (2017); MPJI-Cr 4:17.2, *supra*.

¹⁹ *Estate of Blair v. Austin*, 469 Md. 1, 24 (2020) (quoting *Tennessee v. Garner*, 471 U.S. 1, 11 (1985)).

²⁰ *State v. Albrecht*, 336 Md. 475, 501 (1994); *State v. Pagotto*, 361 Md. 528, 555-556 (2000) (quoting *Graham v. Connor*, 490 U.S. 386, 397 (1989)).

²¹ *Id.*

self-defense. 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. Accordingly, the Office of the Attorney General will not charge the subject officers with a homicide offense.

VI. Conclusion

This report has presented factual findings, legal analysis, and conclusions relevant to the February 11, 2026, police-involved death of Demarcus Irish in Charles County, Maryland. The Office of the Attorney General has declined to pursue charges in this case because, based on the evidence obtained in the IID's investigation, the subject officers did not commit a crime.