

Statement of Benjamin R. Gideon, Esq.
Submitted for the Congressional Field Hearing:

“Seeking Justice in Biddeford:
Oversight of ICE’s Use of Force in the Death of Johan Sebastián Durán Guerrero”

August 17, 2026, in Biddeford, Maine

I want to reflect for a moment on the courage it takes for Omar and Dora, who traveled to the United States following the killing of their son, to come here today and offer their public statement.

Omar and Dora, thank you for your courage, and for your strength.

Your strength of character is surely the example that explains why your son grew up to be the man he was.

My name is Ben Gideon.

I’m the attorney representing Johan Sebastian’s partner, Karolina, and their 3-year-old daughter, Dulce.

I grew up in this State and have practiced law here for more than 20 years.

I’ve never felt as sad or angry as I do in this case.

It makes me so sad that an innocent 25-year-old young man with a beautiful partner and 3-year-old daughter—with his whole life ahead of him—was killed for no reason.

And it makes me angry, so incredibly angry, that he was killed, by an intentional act *of our federal government*.

It’s a hard thing to square with our concept of what America is—or should be—that our government is now killing innocent people on our streets.

It would be one thing if this was just a single, unintentional, random act of violence committed by a single rouge agent.

But this wasn’t unintentional.

It wasn’t random.

And responsibility for it is not limited to single rouge agent.

Instead, what happened in Biddeford, Maine, in the early morning hours of July 13, was the result of intentional policies and decisions—at the highest levels of our government—that treat the killing of innocent people as acceptable collateral damage.

We know it's not an unintended, random occurrence, because it keeps happening, over and over again, in Minnesota, and Houston, and now in Biddeford.

We know it's not an unintended, random occurrence because there is no remorse, no apology or even the slightest concern shown to those whose lives have been destroyed.

And we know it's not an unintended, random occurrence because there has been no effort to investigate the causes of what happened, or to change anything to stop it from happening again.

It's been more than month since Johan Sebastian was gunned down in his car on his way to work.

The day after the shooting, Congresswoman Pingree and Maine's entire congressional delegation demanded an investigation.

Yet, to date, the Justice Department has done nothing to investigate.

The FBI has done nothing to investigate.

The Department of Homeland Security has done nothing to investigate.

That's unprecedented and bad.

But it's even worse.

Instead of honestly seeking answers, our federal government blames the victim, hides and covers up information and disseminates lies.

Sadly, this has become a familiar playbook.

To date, Federal agents have shot and killed at least 6 people in motor vehicles.

Each time, they justified the shooting based on claims about the conduct of the person behind the wheel.

And each time, those accounts were proven false once video evidence emerged.

Yet the Federal government continues to send its agents out on the streets without functioning body cameras to record their actions.

And it continues to justify killings by making claims about the victims without a single shred of evidence to support those claims.

And it's not enough that our government needlessly took this young father's life, now it wants to destroy his reputation.

They label him "an illegal alien" to dehumanize him, even though he was in this country lawfully and following all the rules.

Before he was shot and killed, nobody had ever accused Johan Sebastian of committing any crime or doing anything wrong.

That's why the government had to admit that he wasn't even the target of their operations that morning.

The government has stated that the target of their operations was someone else with a final order of removal.

But there was no final order of removal for Johan Sebastian.

There was no final order of removal for the man in whose name the vehicle was registered.

So, there was no lawful justification for stopping the car in the first place.

And it's now been more than month since the killing and the federal government has yet to tell us *who* it was who was the target of the operation that morning.

I want to pause for a moment.

Our federal government shot and killed an innocent person, who it claimed was not the target of its operation, and more than a month later the government has refused to tell us who the target actually was or whether there was *even any legitimate purpose at all* of its operations that morning.

The government attempted to conceal the identity of the shooter.

It has refused to tell us the date that he was hired.

It has never disclosed any of the problematic features of his past.

We now know the identity of the shooter, but not because *our government* shared that information, but only from media reports.

And it's only through media that we now know about this agent's past.

What we've learned is shocking.

We've learned that the agent who allegedly shot and killed Johan Sebastian had a long history of erratic behavior and violence, including threatening to kill his ex-wife and throwing boiling water at her while she was holding his young child; that he suffered mental illness; that he had made racist remarks; and that he lied on his employment applications and had been denied a job at a small-town police department.

This was the individual to whom our federal government handed a gun and badge and put out on our streets to enforce our immigration laws.

And they rushed him out there without proper training.

Even in today's polarized climate, I hope we can all agree that this individual was unfit to wield a deadly weapon under authority of our federal government.

I hope we can all agree that his existence in that role reflects a complete breakdown of any reasonable screening, hiring and training process.

I hope we can all agree that this goes beyond the individual rouge agent to implicate those responsible for screening, hiring, training and supervising this individual.

And I hope we can all agree that any semblance of public trust going forward requires that changes be made so that nothing like this ever happens again.

The recent track record of our government and this agency give no confidence that there will be any accountability or corrective action taken.

That is why the oversight function of this Committee is so critical.

With the participation of your colleagues, or if they refuse, after a leadership change following the next election, this Committee has the power to exercise the oversight necessary to ensure accountability and reform.

On behalf of Johan Sebastian's family, we are here to ask this Committee to begin immediately to fulfill this critical oversight function.

Specifically, we are calling on this Committee to subpoena witnesses and documents to investigate the following specific issues:

First, we ask that the Committee determine what policies or practices of the agency allowed the agent who shot and killed Johan Sebastian to have been deemed fit to serve and hired for that position.

Second, we ask that the Committee identify those responsible for the hiring of this agent and demand that they be held accountable.

And third, we ask that the Committee investigate what is behind the pattern of agents unlawfully shooting into motor vehicles and demand cessation of such practice immediately, before any other innocent person is killed.

On behalf of Karolina and the entire Duran Guerrero family, I want to thank you for holding this important hearing today.