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Justice for Victims of Lewiston Shooting

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After nine months, hundreds of hours of witness testimony and review of thousands of pages of documents, the Maine Independent Commission on the Lewiston Shooting issued its final report in August. The report summarizes the chilling testimony of Robert Card's transformation from a quiet, dependable member of his Army Reserve unit, on which he had served for more than 20 years, to a person wracked with severe mental health illness, including paranoia, delusion, lack of coping mechanisms, and lack of impulse control.

Card's family members noticed these changes and sought help. His best friend noticed these changes and warned others that Card was threatening to commit a mass shooting. Card's fellow reservists noticed these changes and revoked his access to military weapons. Card's unit commander ordered him to undergo a command-directed behavioral health evaluation, which resulted in Card being taken, against his will, to an Army hospital and then admitted for fourteen days to a private psychiatric hospital in New York.

Medical providers at both hospitals flagged Card's paranoid delusions. However, neither hospital identified a root cause of

his illness, nor determined what had caused his psychiatric condition to have deteriorated so significantly in the prior months after years of stable behavior.

These hospitals discharged Card back into the community knowing that his illness made it unlikely that he would improve or seek further medical treatment on his own. Card stopped taking his medications, did not seek any follow-up medical treatment and continued to become increasingly more paranoid, delusional, and dangerous.

The Report of the Maine Independent Commission follows other reports completed by the Army and the Army Inspector General. The Army criticized the leadership of Card's reserve unit for lack of follow-through and dereliction of duty. They found Card was relieved from his military orders and sent back to the community without following the required procedures of Army Medical Board review or a "Line of Duty Investigation" to determine if his mental illness was caused by or became worse during the time he was on reserve duty.

The Maine Independent Commission criticized the Army and Sagadahoc County Sheriff's Department for failing to take reasonable steps following Card's discharge from the psychiatric hospital and threat to commit a mass shooting. Card's treating doctors in

New York had recommended that his personal firearms be removed from his home.

The Army promised to carry out this request but did nothing to ensure it happened other than outsourcing this critical task to Card's family members who had already expressed the need for help in handling his erratic and threatening conduct. Card had numerous firearms, including multiple semi-automatic assault rifles, among them, the Ruger AR-10 he used to kill eighteen and severely wound many others on October 25, 2023.

During its investigation, the Commission heard from many of the survivors and families affected by the mass shooting. They heard from parents who lost children, husbands and wives who lost spouses, and those whose own lives will be forever changed by gunshot wounds and the emotional trauma of witnessing the events of October 25.

The Commission heard from many members of Maine's deaf community who struggled to access information about loved ones during the chaotic hours following the shooting. They heard from real-life heroes who put their own lives at risk to attempt to confront Card or help others.

Now that these investigations have ended, we expect to proceed with civil claims on behalf of the families and survivors. Our hope is that our claims will continue to shine a light on the

many lapses and breakdowns that allowed Card to remain in the community with access to weapons of war, despite his well-documented mental illness and threats of violence. Through this process, we hope to achieve some level of accountability and justice for families and survivors and encourage those in authority to develop better policies and systems to ensure that violent, mentally ill persons receive treatment and are separated from dangerous weapons that pose great risk to innocent people.

Benjamin Gideon earned his JD from the Yale Law School and served as a law clerk to judges on the Federal Courts. Before leaving to open his own firm, Gideon Asen LLC, in November 2020, Gideon was a shareholder at the Lewiston based law firm, Berman & Simmons PA.

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