

*131st Legislature*  
***Senate of***  
***Maine***  
*Senate District 29*

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*Testimony of Senator Anne Carney introducing*  
**LD 405, An Act to Prevent False Reporting Leading to Evacuation, Shutdown  
or Lockdown**  
*Before the Joint Standing Committee on Criminal Justice and Public Safety*  
**March 6, 2023**

Chairs Beebe-Center, Salisbury, and esteemed members of the Criminal Justice and Public Safety Committee, I am Anne Carney, representing Senate District 29, which includes South Portland, Cape Elizabeth and part of Scarborough. I am grateful to be with you today to introduce LD 405, “An Act to Prevent False Reporting Leading to Evacuation, Shutdown or Lockdown.”

On Tuesday, November 15, 2022, Sanford High School was subject to a false report of an active shooter in the school. Students, teachers, staff, and parents who started receiving “I love you” messages from their kids all believed, for a period of time, that their lives were in danger. According to city officials, the Sanford dispatch center received a phone call at 8:20 a.m. from someone reporting an active shooter dressed in a black coat and black pants, with a long rifle on the first floor of the high school.

Portland was next, with a 911 call reporting an active shooter in Portland High School that came into a dispatch center at 8:31 a.m. The school immediately went into lockdown. All of Portland Department’s on-duty officers were sent to the school. Soon, other schools in Maine received false active shooter reports.

Within a short period of time that morning, students, teachers, and staff from Fort Fairfield to Sanford went into lockdown. Public safety officials rushed to schools anticipating an active shooter and multiple injuries. In total, ten Maine schools were impacted; 5,679 students were the victims of these threats.

In Sanford, students were evacuated from Sanford High over the course of two hours, as officers searched the school room by room. Buses took the students to a safe location, where hundreds of parents waited to be reunited with them. The false reports created fear and confusion at each school. According to a [Portland Press Herald article](#), a student on

the unofficial Gardiner-area Facebook page, wrote of “lots of police presence” and said she and her classmates were “barricading the door” and “have no idea what’s happening.”

Every one of these reports was false. There was no shooter at any of the ten schools, and no physical injury of students, teachers, and staff. Every report, however, caused stress, trauma, and a massive public safety response. Bangor Daily News opinion editor Susan Young reacted to the false reports by noting: “School shootings are tragically frequent, and any reports of an active shooter in a school send ripples of fear and worry through communities,” and even when caused by a false report, “lockdowns like Tuesday’s have a detrimental impact on students, teachers, law enforcement and others.”

Jonathan Sahrbeck, serving as Cumberland County District Attorney, reached out to me shortly after these incidents with a concern that under current Maine law, the false reports of November 15, 2022, probably were not covered by Maine’s False public alarm or report statute, 17-A MRS §509. Why? Because Maine’s False public alarm or report law statute has not been updated since 1977, prior to widespread use of the 9-1-1 system.<sup>1</sup> Mr. Sahrbeck, Shira Burns with the Maine Prosecutor’s Association, AAG Laura Yustak, Rep. Vicki Doudera, Major Gosselin of the Maine State Police, and others worked to shape this legislation; their help and contributions are greatly appreciated.

LD 405, as represented in the amendment that is before you today, does the following:

1. Updates Maine’s existing *False public alarm or report* statute, 17-A MRS §509 to include two common channels through which false reports, including some of the November 15, 2022 reports, come in:

Current A - C	LD 405 A-C
<ul style="list-style-type: none"><li>• any law enforcement officer</li></ul>	<ul style="list-style-type: none"><li>• any law enforcement officer</li><li>• an emergency communications center, as defined in Title 25, section 2921, subsection 4-A</li><li>• the enhanced 9-1-1 services established in Title 25, chapter 352</li></ul>

2. Broadens the list of personnel responding to the request:

Current	LD 405
A. the officer	A. the officer <ul style="list-style-type: none"><li>• any other emergency services personnel</li></ul>
B. law enforcement officer or member of a fire fighting agency	B. law enforcement officer, a member of a firefighting agency

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<sup>1</sup> NENA, <https://www.nena.org/page/911overviewfacts>

	<ul style="list-style-type: none"> <li>any other emergency services personnel</li> </ul>
C. any government agency or public utility that deals with emergencies involving danger to life or property	C. any government agency, public utility that deals with emergencies involving danger to life or property <ul style="list-style-type: none"> <li>other emergency services personnel</li> </ul>

3. Increases violation from misdemeanor to Class C if the false report:

Current	LD 405
Class D misdemeanor	Class C crime if violation: <ul style="list-style-type: none"> <li>causes the evacuation, shutdown or lockdown of a public place or</li> <li>generates an emergency response from a law enforcement, fire or other emergency services personnel</li> </ul>

These changes in the statute will bring Maine's False public alarm or report statute into line with current emergency reporting systems including the widespread use of the 9-1-1 system. It will ensure that our laws apply when a false alarm is made to a law enforcement officer, emergency communications center, firefighting agency, EMS, or government agency that deals with emergencies, and provide both an enforcement mechanism and deterrent effect.

Thank you for your consideration today. I urge the committee to vote ought to pass as amended on LD 405, and am happy to answer your questions.

*Anne*

**Anne Carney**

State Senator, Senate District 29

*South Portland, Cape Elizabeth, and part of Scarborough*