

Senator Carney, Representative Kuhn, and members of the Judiciary Committee,

My name is Destiny Johnson. I am one of the survivors from the Lewiston Mass Shooting that happened on October 25, 2023. After being shot at by Robert Card, I crawled through chairs and then through the kitchen to escape that night.

Now I know I'm not that college student who fears being inside of a school, that you adore. But, I am one of the survivors who was shot at and now I fear being inside gun free zones.

The reality of that tragedy is that there were signs for a year leading up to the shooting that Card was violent. He made threats and acted violently. Prior to the shooting, Card allegedly committed several serious crimes but he was not charged. Why not? Repeatedly, Card showed serious signs of danger, and his behavior was largely ignored.

We already had a system in place to arrest Robert Card before the shooting in Lewiston. The system was not used. The yellow flag law (that they promised would save lives) was also not used.

Unfortunately, the system and policy's here in Maine failed all of us. The policy's put in place now, are not allowing us Mainers to be able to defend ourselves by stepping into a gun free zone like Schemengee's.

94% of mass public shootings are in gun free zones.

Asking us to be defenseless for your perceived safety clearly leaves all of us in danger.

We now know that Maine's current "Yellow Flag Law" could have been used, and this consensus has been agreed to by the Lewiston Shooting Commission, both Republican and Democrat lawmakers, and the Governor among others.

Page 45 of the final report of the independent commission states —

No law enforcement officer in Maine filed a yellow flag petition either before or after Card's hospitalization in New York. Skolfield testified that because he was unable to "lay eyes on him," he could not begin the process. 133

133 - Law enforcement officers routinely rely upon the statements of other officers to establish the probable cause in criminal cases. That same practice can and should be used when an officer is considering whether to take a person into protective custody. Although the person must be physically taken into protective custody to start the yellow flag process, the

Sheriff's Office had probable cause to take Card into protective custody.

Members of Maine law enforcement who were also in the AR unit believed that the SCSO was responsible for filing the petition. However, other than the contact previously discussed, none of them contacted their peers at the SCSO to inform them of Card's conduct and hospitalization in New York, his threatening and ominous statements, or his collection of firearms. 134

134 - Multiple witnesses testified that they did not make suggestions or recommendations to their peers in other law enforcement agencies because their input would automatically be rejected. They testified that police officers in other agencies would resent any advice or suggestions.

Why would the State of Maine put a red flag law in place now, when they never enforced the yellow flag law to begin with?

Who are you protecting ? Obviously you are not trying to protect us, it feels like you are trying to protect the criminals here in Maine.

Please vote Ought NOT to Pass on LD 1378.

Thank you,

**Destiny Johnson
Lewiston Shooting Victim / Survivor
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