



**Testimony in Opposition to LD 2192, “[Resolve, to Ensure That the Independent Commission to Investigate the Facts of the Tragedy in Lewiston Has Necessary Authority to Discharge Its Fact-finding Mission](#)”**

Senator Carney, Representative Moonen, and distinguished members of the Committee on Judiciary, thank you for the opportunity to testify on LD 2192. My name is Jacob Posik and I am testifying in opposition to LD 2192 on behalf of Maine Policy Institute, a nonpartisan, nonprofit organization that works to expand individual liberty and economic freedom in Maine.

Maine Policy’s opposition to this bill is simple. The Independent Commission to Investigate the Facts of the Tragedy in Lewiston isn’t truly independent. Its members were handpicked by the chief executive and the attorney general to serve in this capacity and are beholden to nobody but the governor and attorney general.

If the Legislature is serious about investigating the events that led to the Lewiston tragedy on behalf of Maine people in an independent, nonpartisan manner, it would establish its own commission to examine the shooting or, better yet, use the already existing Government Oversight Committee as a means of getting to the bottom of it.

The Government Oversight Committee is composed of an even number of Democrats and Republicans and the committee itself already has the ability to use subpoena power if necessary. They can call upon any expert or witness as they see fit in carrying out an investigation. Most importantly, its members are accountable to the people of Maine who elected them to the Legislature and they all swore an oath to uphold and defend the Constitutions of the United States and Maine.

In contrast, the members of the current commission, while having accomplished careers, are under no legal requirement to act ethically in carrying out their duties. The commission is also exempt from the state’s public records and open meeting laws,<sup>1</sup> which makes the granting of subpoena power to this entity even more troubling.

The passage of LD 2192 would give a commission established by the Executive Branch unprecedented subpoena authority to use in any way it chooses. The people of Maine had no role in picking its members and have no means of holding them accountable for the work they perform, fail to perform, or the outcomes they reach.

For those reasons, we strongly urge you to **oppose LD 2192**. Instead, we encourage you to create your own commission to investigate the tragic shooting in

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<sup>1</sup> [https://www.maine.gov/governor/mills/official\\_documents/executive-orders/2024-01-executive-order-4-order-establishing-independent](https://www.maine.gov/governor/mills/official_documents/executive-orders/2024-01-executive-order-4-order-establishing-independent)



Lewiston or use the existing Government Oversight Committee as the vehicle to accomplish this work. Thank you for your time and consideration.