

Lewiston-Auburn Area Response Fund



Final Protocol Overview

The Lewiston-Auburn Area Response Fund (the Fund) will distribute funds as gifts to victims and survivors of the October 25, 2023, shootings at Just-In-Time Recreation and Schemengee's Bar and Grill in Lewiston, Maine. The funds may be used however the recipients wish.

Decisions about eligibility and distribution are made by the local Steering Committee with intentions of transparency, integrity, compassion, and fairness. This Final Protocol was informed by the experience of numerous similar efforts after mass casualty events, and the feedback received on the Draft Protocol published on November 20, 2023.

The Final Protocol proposes four categories of eligibility:

- Legal heirs of those who were killed as a direct result of the shootings
- Those who were physically injured by gunshot wound in the shooting
- Those who suffered some other type of physical injury during the shooting
- Those who were present at the time of the shooting and suffered psychological trauma

An online application will be available on or around January 5, 2024.

All interested parties should sign up for the Fund's contact list by filling out and submitting the form on www.MaineCF.org/Lewiston. Emails will be sent regarding:

- When the Final Protocol for the Fund is available
- When the application is available
- When the deadline for submitting an application is approaching

Representatives from the Fund are available to help throughout this process through meetings or phone calls. Email Lewiston@MaineCF.org with any questions or to set up a meeting.

Lewiston-Auburn Response Fund Local Steering Committee

Tom Platz, Chair	Platz Associates
Deborah Anthoine	St. Mary's Health System
Kevin Bohlin	Maine Association for the Deaf
Marc Frenette	Trafton, Matzen, Belleau & Frenette, LLP
Meg Greene	Brann & Isaacson and John T. Gorman Foundation
Laura Lee	Maine Community Foundation
Neil Kiely	Androscoggin Bank
Steven Littleson	Central Maine Healthcare
John Ochira	Maine Community Foundation
Catherine Ryder	Tri-County Mental Health Services
Joe Samaha	VTVCare, Director of Victim Advocacy and Outreach. Father of Virginia Tech victim Reema Samaha
Sitara Sheikh	Maine Association for the Deaf (nonvoting advisory member)
Cara Cookson	Special Liaison to the Maine Office of the Attorney General (nonvoting)

Final Protocol

December 12, 2023

This is the Final Protocol which will govern distribution of the Lewiston-Auburn Response Fund (the Fund). It was developed by the Fund Administrators, incorporating relevant and appropriate feedback from the Steering Committee, the survivors and victims, and the general public, including those present at the Town Hall meeting held by the Administrators on December 6, 2023.

The money paid by the fund is a gift to which no person has a legal claim or entitlement. All aspects of this Final Protocol including, without limitation, the classifications of applicants, distribution criteria, application process, and timetable, may be revised and are subject to the full and complete discretion of the Fund Administrator. The level of benefits paid within each category of eligibility is determined by the steering committee.

The Fund was enhanced through the generosity of businesses, foundations, and individual donors. It will be used to assist the families of the victims who were killed, the victims who were physically injured requiring hospitalization, the victims who were physically injured and treated on an outpatient basis, and the victims who were present at the Just-In-Time Recreation and Schemengee's Bar and Grill during the shooting (the Shooting) on October 25, 2023. The Maine Community Foundation is a 501(c)(3) nonprofit organization (Federal Tax ID #01-0391479).

ALL APPLICATIONS MUST BE SUBMITTED ONLINE NO LATER THAN JANUARY 30, 2024, TO BE ELIGIBLE TO RECEIVE PAYMENT. IF THE VICTIM IS UNDER THE AGE OF 18 OR IS A VULNERABLE ADULT, A PARENT OR GUARDIAN MUST APPLY ON THE VICTIM'S BEHALF.

The amounts awarded from the Fund will take into consideration variables that include: (1) the balance in the Fund when it is closed for donations on February 20, 2024; (2) the completion of the review of all submitted applications; and (3) the review and approval by the Administrators. The Administrators reserve all rights to determine the validity of all information submitted by applicants.

Neither citizenship nor immigration status will be considered in determining an applicant's eligibility.

SECTION ONE: ELIGIBILITY

AREA OF ELIGIBILITY

Individuals in the categories listed below will be deemed to have been "present" and eligible for payment if they were physically present inside or in the parking lot of the Just-In-Time Recreation (as indicated by Figure 1 below) at the time of the shooting, or If they were physically present Inside or In the parking lot of Schemengee's Bar and Grill (as indicated by Figure 2 below) at the time of the shooting.



Figure 1



Figure 2

CATEGORIES OF ELIGIBLE APPLICANTS (ELIGIBILITY IS LIMITED TO ONE CATEGORY)

A. Application for Legal Heirs of Those Killed

Eligible applicants for deceased victims killed as a result of the Shooting will receive the highest level of payment under the scope of this Final Protocol. A final payment determination will be made upon receipt of all pertinent data and is subject to all comments above.

B. Individual Physical Injury Applications for Victims Wounded by Gunfire

Eligible applicants who were physically present within the area of eligibility designated in figures 1 or 2 above at the time of the Shooting and were physically injured by gunfire, which shall be defined as being hit by bullets or shrapnel, will receive payment under this Final Protocol.

C. Individual Physical Injury Applications of Victims Treated on an Out-Patient Basis

Eligible applicants who were physically present within the area of eligibility designated in figures 1 or 2 above at the time of the Shooting, who suffered non-gunshot wound physical injuries as a result of the Shooting, and who received medical treatment no later than Wednesday, November 15 will receive a payment under this Final Protocol.

D. Individuals Present at the Site Experiencing Psychological Trauma

Any individuals who were physically present within the area of eligibility designated in figures 1 or 2 above at the time of the Shooting and experienced psychological trauma are eligible to receive payment under this Final Protocol.

SECTION TWO: PROCESS AND PROCEDURES

Eligible applicants must file an application in order to receive a payment from the Fund. **ALL APPLICATIONS MUST BE SUBMITTED BY THE DEADLINE OF JANUARY 30, 2024;** however, the Fund Administrators reserve the right in their sole discretion to grant a deadline extension.

When completing the application, applicants will specify the category of the applicant: for deceased victims, for physical injury by gunfire, for other physical injury, or for psychological trauma. In their application, applicants must choose only one distribution category for which they are eligible.

Each eligible applicant should submit only one application per victim. An applicant may submit more than one application only on behalf of separate victims. For example, a person who was present or injured may submit their own application. They may also submit an application on behalf of a minor (if that person is the designated parent or legal guardian of the minor) or on behalf of a family member who was killed (if they are the designated representative).

The process and procedures for consideration of eligible applications will be as follows:

A. The Final Protocol to govern the Fund and a link to submit an online application for benefits will be emailed to all known potential applicants who have signed up for the Fund's contact list on the Maine CF website (<https://www.MaineCF.org/Lewiston>). The Final Protocol and information concerning the application process will also be available on the Maine CF website beginning on or about December 12, 2023. Representatives from the Fund Administrators will administer and process the applications. Only one application should be submitted by, or on behalf of, each victim. All applications must be completed and submitted to the Fund Administrators (along with all required supporting documentation detailed in the application or such information curing any deficiencies in information) no later than January 30, 2024. Questions regarding the completion of an application should be sent via email to Lewiston@MaineCF.org.

B. A public meeting was conducted by the Fund Administrators on Wednesday, December 6, 2023, at 6:00 p.m. at the Lewiston Middle School Auditorium. At the meeting, there was an explanation of the Final Protocol and the application submission process, and Fund Administrators invited input and comments from potential applicants and the general public. Information collected from these group meetings, various communications, and correspondence between the applicants, other interested parties, and the Fund Administrators were considered in creating the Final Protocol.

C. Access to the application online will be available at <https://www.MaineCF.org/Lewiston> around January 5, 2024. Applicants who lack access to the internet are invited to call the applicant assistance number at 207-667-9735 for guidance on alternative filing assistance.

D. In the event that an applicant submits an incomplete or deficient application (e.g., the applicant failed to include required documentation or failed to fully complete the application), a representative from the Fund Administrators' office will send an e-mail notification to the applicant in an effort to resolve any such deficiencies.

E. Shortly after the deadline for submission of all financial contributions and the final review and determination of all eligible applications by the Fund Administrators, payments will be issued. The Fund Administrators will submit final payment determinations to the Steering Committee for approval of transmission of the payments, by check or electronic transfer, to each eligible applicant. Applicants may not rely on the timing of any payment. The Administrators, the Steering Committee, and Maine Community Foundation shall have no liability whatsoever for any damage of any kind arising out of or resulting from the timing of any payment from the Fund.

F. Applications for Deceased Victims

1. Applications for deceased victims with a Last Will & Testament: If the deceased victim had a Last Will & Testament, the personal representative legally authorized to administer the Estate must submit the application, along with a copy of the Will and the Fund will issue payment in accordance with the Will.
2. Applications for deceased victims with no Last Will & Testament:
 - a. If a personal representative has been appointed to administer the Estate, such personal representative must submit the application and provide the information set out below.
 - b. If there is no court appointed personal representative and the deceased victim was married at the time of death, the deceased victim's spouse or legal partner will submit the application and provide the information set out below.
 - c. If there is no court appointed personal representative and the deceased victim was not married, one application should be submitted on behalf of all of the deceased victim's heirs and provide the information set out below.
 - d. For deceased victims who did not have a Last Will & Testament, the application shall include information pertaining to individuals (e.g. spouse, children, parents, siblings) who may be eligible to receive compensation under the local intestacy law of the jurisdiction where the deceased victim was domiciled.
 - e. In circumstances where the deceased was, at the time of their death, engaged to be married, cohabitating with an intimate partner, separated from a spouse, the Fund Administrators may, in their discretion, require a fiancé, intimate partner, or

household member, to be included in the class of heirs for purposes of making a distribution from the Fund.

- f. In circumstances where an adult: 1) resided with a minor for a significant period of time; 2) was engaged in consistent care taking of the minor; 3) established a bonded and dependent relationship the minor, which relationship was fostered or supported by another parent of the child and the person and the other parent have understood, acknowledged or accepted that or behaved as though the person is a parent of the minor; and 4) accepted full and permanent responsibilities as a parent of the minor without expectation of financial compensation, the Fund Administrators may, in their discretion, require such adult or a minor to be included in the class of heirs of the deceased for purposes of making a distribution from the Fund.
- g. Each application for a deceased victim who did not have a Last Will & Testament must include a proposed plan of distribution of the funds among the deceased's legal heirs and beneficiaries. The proposed plan will be distributed to all known legal heirs, beneficiaries, fiancé or cohabitating intimate partner, and any others directed by the administrators to be included, in the sole discretion of the administrator, as consistent with the deceased's family structure, each of whom must consent to the proposed distribution.

G. If a minor child's application must be submitted and signed by a parent or legal guardian. If an application is required for a vulnerable adult lacking legal capacity, it will require proof of representative capacity, such as a power-of-attorney, guardianship, and appointment of guardian or attorney *ad litem*. Minor beneficiaries will have funds paid to the minor's custodian for deposit into a custodial account pursuant to the Maine Uniform Transfer to Minors Act.

H. An application filed for a physical injury applicant must include an authorization to release medical information which confirms: (i) the date of initial treatment, (ii) the date of admission to the hospital if applicable, (iii) the date of discharge from the hospital if applicable, and (iv) the nature of the injury and contemporaneous evidence from the treating professional that the injury was sustained as a result of the Shooting. Upon review of the data received through applications, the Steering Committee, in its discretion, may choose to create different tiers of benefits reflecting the severity or impact of the applicants' injuries.

I. An application filed for psychological trauma must have the applicant's presence in the designated areas of eligibility at the time of the Shootings corroborated by employment records or by law enforcement records. The Fund Administrators (rather than the applicant) will be responsible for validating this information.

J. Maine Community Foundation, the Fund Administrators, and the Steering Committee will use reasonable efforts to maintain confidentiality of all information submitted by applicants but cannot

guarantee confidentiality. Applicants are asked to consider any personal ramifications should any information submitted under this Final Protocol become publicly available.

K. Applicants in Category A (Legal Heirs of those killed) may request an advance payment of \$20,000 per decedent. Applicants in Category B (injury) who were hospitalized overnight may request an advance payment of \$10,000. All advance payments will be deducted from the final distribution amount for the category in which the applicant is validated.

L. The Fund cannot provide tax advice to those receiving payments from the Fund. The Fund Administrators recommend consulting a tax advisor for any questions regarding tax liability for these payments.

M. When all distributions of payments have been completed, a full examination of the Fund will be conducted according to Agreed Upon Procedures by an independent auditing firm. The results of these Agreed Upon Procedures will be made available to all applicants, donors, and the general public, along with a Final Report from the Fund Administrators.

SECTION THREE: OUTREACH AND COMMUNICATION

A. The Maine Community Foundation (MCF) or its representatives may conduct outreach to victims of the Shooting by telephone, mail, in person, and other forms of electronic communication to provide them with information on the application process, to answer questions related to the filing of applications, to assist victims in curing deficiencies on applications, and to work to ensure that all eligible persons who wish to submit applications are able to do so before the January 30, 2024, filing deadline. MCF does not guarantee that all who may be eligible will be contacted, nor does it guarantee that all eligible persons who are in contact with MCF will be included in the Final Distribution. It is the responsibility of the applicant to make sure that the application is timely filed and received. Contact information that is held by law enforcement or healthcare professionals is never shared with MCF, and there should be no assumption that anyone who is eligible will be contacted simply because they have shared their contact information with either law enforcement, the Red Cross, or any other service provider. Contact information must be shared with MCF via the Fund-specific online contact form.

B. The Final Protocol and application information will be disseminated to all known victims who have signed up for the online contact form on <https://www.MaineCF.org/Lewiston>. The Fund Administrators will work directly with applicants as requested so that applications are submitted by the January 30, 2024, deadline.

C. Applicants may request to schedule optional meetings face-to-face or by telephone with the Fund Administrators. All applications will be processed during the period between January 5, 2024, and February 25, 2024. All applicants requesting meetings with the Fund Administrators before the application is processed will be afforded such a meeting during the period between December 12, 2023, and January 30, 2024. Meetings will be scheduled at mutually convenient times and locations. To request a meeting, please email a request to Lewiston@MaineCF.org.

PROPOSED LEWISTON TIMELINE

- October 25, 2023 – Shooting occurs
- October 31, 2023 (alt 11/2, 11/6)– Announce Fund and Chair of Steering Committee
- November 16, 2023 – Meeting of Steering Committee; approve Final Protocol
- November 21, 2023 – Publish Final Protocol and public comment period begins
- December 6, 2023 – Town Hall Meeting and public comment period ends
- December 7, 2023 – Steering Committee meets to approve Final Protocol
- December 12, 2023– Final Protocol published to website for survivors, victims, and interested parties
- January 5, 2024 – Application is available online. Application instructions are disseminated to all known applicants and potential applicants.
- **January 5–January 30, 2024 – Applications completed (with required documentation) and submitted to the Fund Administrators**
- December 12, 2023 – January 30, 2024 – All personal meetings requested with the Fund Administrators completed
- **January 30, 2024 – Deadline for submission of applications**
- February 20, 2024 – Fund closes to donations
- March 7, 2024 – Steering Committee approves Funds Distribution Plan
- March 14, 2024 – Distribution of payments to approved eligible beneficiaries begins on a rolling basis
- Three weeks after the end of the month in which all disbursements are completed – Independent auditing firm conducts examination of Fund according to Agreed Upon Procedures



Maine
Community Foundation

Maine Community Foundation Factsheet: Lewiston-Auburn Area Response Funds

The following factsheet outlines the Maine Community Foundation's (MaineCF) process for designing, administering and distributing its two Lewiston-Auburn Area Response Funds. Please contact info@mainecf.org with any further questions.

Reasoning for Two Funds

Q. Why were two Lewiston-Auburn Area Response Funds established? Why weren't all funds directed to victims and their families?

A. In the wake of the Oct. 25, 2023, mass shooting in Lewiston, MaineCF hired Jeff Dion, executive director of the Mass Violence Survivors Fund, to help design and administer the two Lewiston-Auburn Area Response Funds. Dion is one of the nation's foremost mass-casualty victims' advocates. He has worked with victims and families after mass shootings in more than 31 communities across the country, helping to administer relief funds that have disbursed more than \$150 million to survivors. According to Dion, supporting the broader community's recovery, alongside direct assistance to victims and their families, is "[best practice](#)." This approach—guided by compassion and a commitment to supporting Lewiston in its darkest hour—recognizes that healing extends beyond victims and their immediate families to the entire Lewiston-Auburn community.

MaineCF established two Lewiston-Auburn Area Response Funds — the Victims & Families Fund (Victims Fund) and the Broad Recovery Efforts & Organizations Fund (Broad Recovery Fund) -- that were announced on the first day of this effort, Oct. 27, 2023. The criteria for applying have been [publicly available](#) on the MaineCF website for more than two years.

The Victims Fund distributed \$4.7 million to 162 victims, families, and survivors of the shooting. Details on how Victims Fund resources were distributed can be found on our [website](#).

The Broad Recovery Fund distributed \$1.9 million to support 29 local community organizations based in Lewiston, which stepped up under extraordinary circumstances to provide services, including: emergency mental health services and counseling to children following the shooting, food and supplies for victims, child care and after-school programs while local schools were on closed during the community lockdown, and much more.

Examples of relevant Broad Recovery Fund services or support, as outlined in our criteria (available on our [website](#)), included:

- Mental health services such as therapy, counseling, and other trauma response treatments
- Emergency food and supplies
- Transportation, ASL interpretation, cultural brokering, and other forms of assistance in navigating support services
- Trauma-informed health and social-emotional wellness education and people-focused support programming
- Victims-focused legal and social services.

This approach was based on a recognized strategy for community healing developed through years of experience. Other mass violence relief efforts that have included broader community needs funds include:

- Walmart shooting in El Paso, Texas, Aug. 4, 2019; funds sponsored by Paso del Norte Community Foundation and El Paso Community Foundation.
- Tops Supermarket shooting in Buffalo, New York, May 14, 2022; sponsored by Community Foundation for Greater Buffalo.
- Robb Elementary Shooting in Uvalde, Texas, May 24, 2022; funds sponsored by the San Antonio Foundation and the Community Foundation of the Texas Hill Country.
- Covenant School shooting in Nashville, Tennessee, March 27, 2023; funds sponsored by the Community Foundation of Middle Tennessee.

Broad Recovery Fund Criteria

Q. Can you provide additional information on how charitable organizations were selected for the Broad Recovery Fund? How many organizations were denied and why?

A. The Victims Fund and the Broad Recovery Fund were announced on the first day of this effort. The criteria for applying have been publicly available on the MaineCF [website](#) for more than two years. Charitable organizations that met the criteria for the Broad Recovery Fund were welcome to apply for grants starting Feb. 5, 2024. Twenty-nine organizations out of thirty-six applicants received funding, which was distributed evenly among each organization. Six were not eligible because they were not located in the Lewiston/Auburn communities and one was denied because the grant application was not complete.

Steering Committee

Q. How were the Lewiston-Auburn Area Response Fund steering committees selected? Some members of the Broad Recovery Fund Steering Committee were employed by charitable organizations that received grants. Isn't this a conflict of interest? Did they steer funds to their own organizations?

A. Upon announcing the Victims Fund and the Broad Recovery Fund, MaineCF worked with Lewiston-Auburn business, community, and civic leaders to convene two Steering Committees—one for each fund. These all-volunteer committees provided essential insight and context on the region, as well as feedback on the overall process and approach. According to Jeff Dion, executive director of the Mass Violence Survivors Fund, this process is considered **best practice** as “local community groups are best equipped to identify, understand, and respond to these needs as they arise in the aftermath of such an incident.”

Neither committee played a role in selecting which specific grantees received money. The Steering Committee for the Broad Recovery Fund voted on two things: 1) the criteria for receiving a grant from the fund; and 2) whether grants would be equal amounts to all qualifying organizations or structured in tiers, with varying amounts. As outlined in the Broad Recovery & Organization Fund’s criteria (available on our [website](#)), “all aspects of this Final Protocol, including, without limitation, the eligibility categories, distribution criteria, application process, and timetable, may be revised and [were] subject to the full and complete discretion of MaineCF as the Fund Administrator.”

This question was also thoroughly reviewed by experienced, nonpartisan consumer protection and charities law enforcement officials in the State of Maine at the Maine Attorney General’s Office. After “thoroughly reviewing” materials and information “about the fact of and process underlying distributions” to charitable organizations, the Maine Attorney General’s Office “identified no legal concerns” and thanked MaineCF for its “willingness to step up to manage the fundraising efforts.” A letter summarizing the findings of this review can be found on our [website](#).

Fund Allocation/ Distribution

Q. How were donations to the Lewiston-Auburn Area Response allocated between the two funds? Did MaineCF “siphon” dollars away from victims and give them to charitable organizations?

A. Donors selected what fund or funds their contributions supported when they made their donations: the Victims Fund or the Broad Recovery Fund. Donors received a “thank you” letter or message from MaineCF within days of their donation that expressed appreciation for their support and confirmed to which fund or funds their donation went, consistent with their intent. One hundred percent of funds directed to the Victims Fund went to victims and their families. MaineCF waived all processing fees for this work. No donation to the Victims Fund was ever moved to the Broad Recovery Fund or vice versa. This separation of funds was a core principle of our process.

Q. A representative of MaineCF named Dan Levey told donors that “100% of all donations go to the victims/survivors.” Did he mislead the public?

A. No. Dan Levey is not an employee of the Maine Community Foundation; he was among Jeff Dion’s team that supported only the Victims Fund and was a liaison for victims and families during the fund application process. He was never involved with the Broad Recovery Fund and so he was correct to say that “100% of all donations go to the victims/survivors of this tragic event,” meaning 100% of donations to the Victims Fund would go to victims and families with no administrative fees charged. We believe that Dan Levey’s role was clear to victims and that any allegations suggesting otherwise are taking his statements out of context.

Checks Via Mail

Q. If donations were made by mail-in check and donors did not designate which of the two funds they preferred their money to go to, how was the donation allocated?

A. MaineCF’s foremost priority is – and always has been – to respect the intentions and wishes of our donors, which, in this case, included people from across the world who wanted to help by making a financial contribution. The majority of donors provided clear instructions to direct money to a specific fund or to split money between both funds. In situations where no instruction was provided, MaineCF could not and did not make assumptions about their intent.

Per foundation policy (which was outlined on our [website](#) during the donation period), charitable donations that were made to our two Lewiston-Auburn Area Response Funds without designating a specific fund were applied equally to both the Victims Fund and the Broad Recovery Fund. For every donor whose contact information we had, we promptly sent a thank you confirmation, clearly specifying the amount donated and exactly how it was allocated – either to the Lewiston-Auburn Area Response Fund: Victims & Families, the Lewiston-Auburn Area Response Fund: Broad Recovery Efforts & Organizations, or both.

No donor, upon receiving confirmation, requested their funding allocation be changed before or after the fund closed for donations on Feb. 20, 2024.

How Funds Were Used

Q. What did organizations that received Broad Recovery Fund grants do with the money?

A. MaineCF did not require organizations to submit full reports due to the urgent need to utilize these grants in the community. Most organizations, however, did so voluntarily. We proudly stand by our work to support community organizations, which stepped up under extraordinary circumstances to provide emergency mental health services and counseling to children following the shooting, food and supplies for victims, child care and after-school programs while our school systems were closed during community lockdown, and

much more. That information, alongside several news stories detailing how grant recipients used funds, can be found in our [one-year fact sheet](#).

Giving Back Funds

Q. How does MaineCF respond to recent reports indicating that Broad Recovery Fund grantees are opting to “give back” the funds they received, redirecting resources back to victims?

A. Respectfully, this question is misleading. Grants from the Broad Recovery Fund were spent by charitable organizations in the immediate aftermath of the Lewiston shooting to support services outlined in their grant applications. If an organization two years later opts to make a new donation to support the long-term, ongoing needs of victims and families, that is their own decision to make.



Maine
Community Foundation

THE FACTS:

Maine Community Foundation's Support for Victims, Families & the Lewiston-Auburn Community Following the Oct. 25, 2023, Mass Shooting

BEST PRACTICES TO SUPPORT VICTIMS & FAMILIES GUIDED EFFORTS

1. **Victims & Families Centered Process:** MaineCF developed a clear, transparent and comprehensive process to support victims, families and the Lewiston-Auburn community MaineCF hired Jeff Dion, one of the nation's foremost mass-casualty victims' advocates, who has worked with victims and families after mass shootings in more than 31 communities across the country. Dion called the MaineCF effort "the best that I have seen." ([Sun Journal, Oct. 15, 2024](#))
2. **Creating Two Funds Is a Victims & Family Best Practice & Was Widely, Publicly Reported:** Two funds – the Victims & Families Fund and the Broad Recovery & Organizations Fund – were [publicly announced](#) and [widely reported](#) on the first day the funds were launched. Two funds are a "best practice," according to Dion, to ensure every dollar a donor chooses to give to victims and families is restricted for that purpose. ([Statement from Jeffrey Dion, Feb. 18, 2025](#))

DONOR INTENT WAS AT THE CORE OF THE PROCESS

3. **Donors Directed Their Own Dollars, Not MaineCF:** People who donated decided which of the two funds they would support when they contributed. MaineCF did not "appropriate" or decide where donors' funds went. Through clear and visible procedures, this process honored donor intent.
4. **Donors Got a Receipt to Confirm Their Intent:** Donors received a "thank you" letter or message from MaineCF within days of their donation that expressed appreciation for their support and confirming to which fund or funds their donation went consistent with their intent.
5. **Maine's Attorney General Confirmed MaineCF Followed Donor Intent:** Maine's highest career consumer protection law enforcement officer, the Attorney General's Office (AG), reviewed MaineCF's process related to supporting victims, families and the Lewiston-Auburn community. After "thoroughly reviewing" materials and information "about the fact of and process underlying distributions to community nonprofit organizations," The AG's Office "identified no legal concerns" and thanked MaineCF for its "willingness to step up to manage the fundraising efforts in the wake of last year's tragedy."
6. **Independent Audit Confirmed MaineCF Followed Donor Intent:** An independent audit, recommended by Dion and conducted by Baker Newman & Noyes at the conclusion of the process, confirmed MaineCF managed both funds appropriately. Baker Newman & Noyes "Agreed Upon Procedure" reviewed both funds following Dion's methodology and found "no exceptions."

BROAD RECOVERY FUND PROCESS WAS THOROUGH & TRANSPARENT

7. **AG's Office Reviewed Broad Recovery Fund Steering Committee, Found No Conflict:** The Broad Recovery & Organizations Fund steering committee comprised local community leaders. The committee voted on only two things: 1) the criteria for receiving a grant from the fund (below); and 2) whether grants would be of equal amounts to all qualifying organizations or structured in tiers,

with varying amounts. (Committee members voted for an equal amount to all qualifying organizations. These facts were reviewed by the Maine AG's Office, which agreed with all attorneys who reviewed the process and found there was no "conflict of interest.")

8. **Criteria for Broad Recovery Fund Grants Clear and Public:** The criteria for applying for Broad Recovery & Organizations Fund grants was publicly announced by the steering committee at the beginning on Feb. 2, 2024, and has been available on the MaineCF website and included the following requirements:
 - "must be located in the L-A region"
 - "must have provided or are continuing to provide relevant services or support to people who were present at the time of the shootings **and/or support to people in the L-A region who suffered psychological trauma as a result of the shootings...**" [Emphasis added] ([Broad Recovery & Organizations Fund final protocol, Feb. 2, 2024](#))
9. **Helping Victims, Families, and the Community: The Right and Necessary Approach:** Supporting the broader community's recovery, alongside direct assistance to victims and their families, was guided by compassion, best practices, and a commitment to doing what is right. Leading mass shooting victims' advocates recommend this approach, recognizing that healing extends beyond those directly affected to the entire Lewiston-Auburn community. MaineCF's efforts reflect this principle: even after the closure of both funds, the ongoing work of the Maine Resiliency Center—established with support from a Broad Recovery & Organizations Fund grant—demonstrates the lasting impact of helping all who were touched by the tragedy. Here is what the Resiliency Center says about those it serves:

"The Maine Resiliency Center is a resource hub for anyone impacted by the October 25th shootings at Just-in-Time Recreation and Schemengees Bar and Grille. This includes:

 - Family, friends, and loved ones of individuals killed on October 25th
 - First responders and medical personnel
 - Anyone present at either of the shootings
 - **Any member of the community who feels impacted by these events**" (Emphasis added)
10. **29 of 30 Eligible Organizations That Chose to Apply Received Broad Recovery Grants:** Nonprofit organizations that met the Broad Recovery & Organizations Fund grant criteria were welcome to apply for grants starting Feb. 5, 2024. Twenty-nine organizations received funding, which was distributed evenly among each organization. MaineCF did not select what organizations could or did apply for Broad Recovery & Organizations Fund grants. MaineCF did not define the criteria for grant awards. No donation to the Victims & Families Fund was ever moved to the Broad Recovery & Organizations Fund and vice versa. This separation was a core principle of our process.
11. **What Broad Recovery Grantees Did with Funds Has Been Public for Over a Year:** What each Broad Recovery & Organizations Fund grantee did with its **one-time** grant has been public on the MaineCF website and linked to several news stories for more than a year. Broad Recovery & Organizations Fund grants were "unrestricted general operating grants," and reporting requirements were intentionally minimized to ensure funds reached the community. ([MaineCF Lewiston Response: One Year Later](#))
12. **Community Foundations Play an Essential Role in Helping Victims of Mass Violence:** MaineCF helped ensure "a fair, transparent, and victim-centered donation management program" that was "among the very best responses to mass violence that I have seen in all my years doing this work,"

according to Dion. Dion says the role of community foundations is often critical across the country “to provide the experience communities need” and cover administrative expenses “separate from any of the donations for victims.”

13. **Facts: Gateway Community Services:** While not actually directly related, charitable nonprofit Gateway Community Services Maine did apply for and receive a Broad Recovery & Organizations Fund grant. A separate, for-profit entity – Gateway Community Services LLC – has come under recent scrutiny regarding state and federal funds related to health-related services it provides.