



SEN. CRAIG V. HICKMAN, SENATE CHAIR
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MAINE STATE LEGISLATURE
GOVERNMENT OVERSIGHT COMMITTEE

June 24, 2026

Aaron Frey, Attorney General
6 State House Station
Augusta, Maine 04330-0006

Dear Attorney General Frey,

Please accept this letter as a formal request by the Government Oversight Committee for a legal opinion per 5 M.R.S. § 195. We seek this opinion on the scope of any authority the Office of Program Evaluation and Government Accountability (OPEGA) may or may not have (and the Committee's corresponding authority to direct that office) to pursue a program evaluation of the Maine Community Foundation's collection, management, and distribution of funds in response to the October 2023 mass casualty shooting in Lewiston, Maine.

We make this request based in part on the premise that the Director of OPEGA has advised he is not aware of any facts indicating that the funds at issue included any portions that constituted "public" funds appropriated or otherwise provided by the State of Maine, and accordingly in his view, 3 M.R.S. § 992(4) would thus appear to limit his office's reach in this realm.

For further background, at the June 17, 2026, meeting of our Committee, we discussed a letter (attached) from one of our Members, Representative John M. Eder, which is the genesis of our request. In his letter, Representative Eder asks the Committee to consider directing OPEGA to undertake the above program evaluation. In discussion yesterday, Representative Eder also suggested that the City of Lewiston may have donated public funds. If true, Representative Eder asked whether this could support OPEGA oversight jurisdiction. In this regard, it appears that the City of Lewiston may have collected and redistributed private donations. See <https://www.lewistonmaine.gov/m/newsflash/home/detail/1760>

In any event, there are three elements of our request, but we also welcome your insights on any other facts or law that may be relevant to our consideration of Representative Eder's request. The three elements may be divided as follows:

1. Is the OPEGA Director correct that his office may lack jurisdiction to perform a program evaluation of purely private donations received by the Maine Community Foundation, a nonprofit corporation, despite the reference to nonprofit corporations in 3 M.R.S. § 991?

2. Whether the City of Lewiston's distribution to the Maine Community Foundation of funds (as reported by Lewiston) would be subject to OPEGA program evaluation, including but not limited to by operation of revenue sharing by the State of Maine with Lewiston (see 30-A M.R.S. § 5681)?
3. If there are any facts establishing that some "public" funds (as that term is used in the OPEGA statutes (see 3 M.R.S. § 992(4)) were part of any funds at issue here, would such a portion of "public" funds somehow confer program evaluation authority upon OPEGA to review even the handling and disposition of the private donations?

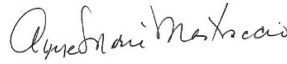
For ease of reference, the recording of the relevant Committee discussion is archived beginning at 10:22:10 of the following link: <https://legislature.maine.gov/audio/#220?event=97470&startDate=2026-06-17T09:30:00-04:00>

Thank you.

Very truly yours,



Craig V. Hickman
Senate Chair



Anne-Marie Mastraccio
House Chair

Attachment

cc: Members, Government Oversight Committee

Peter Schleck, Director Office of Program and Evaluation and Government Accountability



MAINE STATE LEGISLATURE

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May 28, 2026

Sen. Craig Hickman, Chair
Rep. Anne-Marie Mastraccio, Chair
c/o Office of Program Evaluation and Government Accountability
82 State House Station
Augusta, ME 04333

Dear Senator Hickman and Representative Mastraccio,

We respectfully request that the Joint Standing Committee on Government Oversight investigate the Maine Community Foundation's (MCF) management of funds allocated for victims of the Lewiston mass shooting.

Following the tragedy in Lewiston, the legislature acted swiftly to create a victim's fund and MCF was designated as the fiduciary agent under the Maine Violent Crimes Compensation Act¹ to manage the funds established for providing direct financial support to the victims and their families. As the fiduciary, MCF was responsible for statutorily managing the funds and ensuring they were distributed in accordance with that legal framework.

In total, \$6.6 million was raised from Maine and beyond, with the reasonable expectation that these funds would directly support the victims as intended. In accordance, MCF made commitments to the victims that all the funds would go to them (attached). However, \$1.9 million of those funds raised for the victims was distributed to non-profit organizations that did not provide direct services to the victims. MCF deviated from both statutory requirements of the Maine Charitable Solicitations acts as well as best practices by using one umbrella term for two funds within the victims' fund, diverting resources intended for survivors to 29 non-profits. Of those 29 nonprofits, six members of the MCF steering committee granted funds to their own non-profits, while one grant was awarded to a spouse of a steering committee member. This creates an appearance of deceptive practices, conflict of interest and self-dealing. Unrestricted funds intended for victims were used for pet projects such as renovations at a nonprofit's office. Notably, one non-profit grantee, The Root Cellar of Lewiston, chose to return the funds to victims via the national organization *Victims First*, stating, "... funds intended specifically for victims and survivors should remain available to them." Upon returning the funds, the Root Cellar clarified that they told MCF prior to applying that the per their mission, their activities would not provide direct services to victims or their families. Representatives of the Root Cellar stated that MCF encouraged them to apply anyway and MCF granted them those funds.

We believe that both the Victims Fund set up by the legislature and the Maine Charitable Solicitations Act² gives oversight responsibility to the Government Oversight Committee (GOC) regarding the allocation of donations raised for causes as represented to the public. The Charitable Solicitations Act mandates that organizations adhere to the representations made to donors about fund usage. MCF claimed that all funds raised would go directly to the victims; however, a significant portion was diverted to non-profits, resulting in only token support for actual victims—averaging \$29,000 allocated per victim compared to over \$65,000 granted to each of the 29 non-profits.

This situation has re-victimized those affected, who continue to demonstrate financial need due to the tragedy, while also creating confusion regarding the fund's stated purpose. Currently, MCF which has an endowment close to one billion dollars has positioned itself in an adversarial position to the victims rather than compensate the victims as they'd promised.

The handling of this issue raises serious concerns about deceptive practices and conflicts of interest that we believe the GOC is statutorily obligated to investigate.

If we do not investigate this apparent mismanagement of the Victims Fund, we risk eroding public trust in charitable organizations and dissuading future contributions to victims' compensation funds. Immediately following the tragedy, the Maine Legislature moved swiftly to establish the operation of victim funds in statute and bears responsibility for their proper administration to support victims directly.

We respectfully urge the committee to examine this matter closely on behalf of the victims of the Lewiston shooting and, God forbid, potential future victims' compensation funds.

Respectfully,



John M. Eder
State Representative

/s/ Quentin Chapman
State Representative

/s/ Harold "Trey" Stewart, III
Senate Republican Leader

/s/ Matthew Harrington
Assistant Senate Republican Leader

Cc: Representative Chad Perkins

Footnotes:

1. Maine Violent Crimes Compensation Act, 5 M.R.S.A. § 3360 et seq.

2. Maine Charitable Solicitations Act, 9 M.R.S.A. § 5001 et seq.

Lewiston-Auburn Area Response Fund

The Maine Community Foundation has created the Lewiston-Auburn Area Response Fund (the Fund) will distribute 100% of donations 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.

Guidelines determining objective criteria for eligibility, and distribution of funds, will made by the local Steering Committee following public comment and feedback on the Draft Protocol.

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 Draft Protocol is published
- How to offer feedback on the Draft Protocol
- When the Town Hall meeting will occur
- When the Final Protocol for the Fund is available
- When the application is available
- When the deadline for submitting an application is approaching

Use this QR code to sign up for the contact list

