



Written by [Bob Adelman](#) on October 21, 2024

Survivors and Victims of Maine Shooting File Intent to Sue U.S. Army

One hundred survivors and victims of the worst mass shooting in Maine's history [announced last week](#), through the four law firms seeking hundreds of millions in damages for them, that they intend to sue the federal government for negligence.

Robert Card's History

The shooting a year ago in Lewiston, Maine, was carried out by U.S. Army reservist Robert Card. Card had [exhibited increasingly unstable mental behavior](#) in the months before he murdered 18 people and wounded 13 others.



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The warning signs from numerous sources had been pointed out, but were not acted on. Intervention could have been sufficient to disarm Card before he committed his atrocities.

A year earlier, Card, a grenade instructor for the previous eight years, began to exhibit warning signs. He changed from a calm, collected, even-tempered individual to one given to sudden outbursts of anger. Six months before his rampage he became paranoid. He accused those around him of charging him with illegal and immoral behavior, including being a child molester.

By May 2023, his son and former wife had reported his erratic behavior to a local sheriff's deputy. By July, leaders of his reserve unit had informed local law enforcement about Card's threats to commit a mass shooting. He was involuntarily removed to West Point's Keller Army Community Hospital for psychological analysis and treatment. After two weeks he was released.

Card then spent another two weeks at the Four Winds Psychiatric Hospital in Katonah, New York, returning home in August.

He continued to have fits of anger, including striking a fellow reservist who told him to stop talking about "shooting up places and people."

The lawyers — from two firms in Maine, one from Connecticut, and another from Texas — salivating over collecting contingent fees in the millions, are optimistic that the suit will force the government to settle before it goes to trial.

Precedent

Government entities like the U.S. Army, the Department of Defense, and the Keller Army Community Hospital, defendants in the anticipated lawsuit, generally enjoy "sovereign immunity" from such lawsuits. However, as Jake Fogleman of The Reload noted:

Decades of case law have established that government officials do not have a legal duty to protect individual members of the public from harm under nearly all circumstances.



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A recent series of settlements by government agencies, however, has encouraged the four law firms to invest enormous sums of time, energy, and money to corral the 100 individual complainants, interview them, and organize the lawsuit. It will be filed after the government has reviewed the group's preliminary intent to file.

Victims and survivors of the church shooting in Sutherland Springs, Texas, in 2017 were awarded a liability settlement of \$144 million by the Department of Justice. Victims and survivors of the church shooting in Charleston, South Carolina, in 2015 received \$88 million. And victims and survivors of the Marjory Stoneman Douglas High School shooting in Parkland, Florida, in 2018 received \$127.5 million.

Lawyers Get a Break

Demands for information from the agencies involved will likely take many months, but the lawyers have enjoyed a break. Cynthia Young, whose husband and son were murdered at the bowling alley last year, has been named "special administrator" of Robert Card's estate by Card's son. This means that the most sensitive documents — Card's medical records, mental health records, and military records — will be available much sooner.

Said Young:

These records are important to help those who have been affected by this tragedy to evaluate potential legal claims, including claims against the United States Government. This information also may help those family members understand why the mass shooting occurred and what steps could have been taken to prevent it.

Travis Brennan, one of the many lawyers representing the survivors and victims' families, said:

In the year since the mass shooting, there have been several investigations, and many facts have come to light that show that the Army could have — and should have — acted.

Although we expect to learn more through the civil case, it is now abundantly clear that there were many opportunities to intervene that would have prevented the tragic events of October 25.

The Army Should Have Had a Clue

A sample of Robert Card's brain tissue was examined at Boston University's CTE Center. It revealed "profound brain damage" — traumatic brain injury resembling the brain damage of veterans who had been exposed to battlefield blasts. As a grenade instructor, Card would have been exposed to thousands of such blasts over the eight years he served in the reserves.

As neurologist Ann McKee, director of the CTE Center, stated:

These findings align with our previous studies on the effects of blast injury in humans and experimental models. While I cannot say with certainty that these pathological findings underlie Mr. Card's behavioral changes in the last 10 months of life, based on our previous work, brain injury likely played a role in his symptoms.

Benjamin Gideon, another of the lawyers working the case, warned:



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We are committed to moving this case forward as aggressively as permitted by law. The U.S. should have sufficient information through the Army's own internal investigation to evaluate our claims promptly.

However, if the U.S. chooses to run out the clock by sitting on our claims without acting, we will file our action six months and one day from today.

We are committed to moving forward and ensuring accountability and justice for our clients.

And getting paid handsomely for doing so.



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