



TESTIMONY OF ALICIA REA, ESQ.
LD 332– Ought Not to Pass

**An Act to Establish Mandatory Minimum Sentences for
Gross Sexual Assaults Against Children and Aggravated
Sex Trafficking of Children**

Joint Standing Committee on Judiciary
February 24, 2025

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Senator Carney, Representative Kuhn and distinguished members of the Joint Standing Committee on Judiciary, greetings. My name is Alicia Rea and I am a policy fellow at the ACLU of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, I urge you to oppose LD 332.

The ACLU of Maine has long opposed mandatory minimum sentencing laws because they result in unjust sentences, contribute to racial disparities in the criminal justice system,¹ and limit judges' ability to issue sentences based on the relevant facts of each unique case.

Mandatory sentences undermine our notion of justice, and often prevent judges, who have all the evidence before them, from determining appropriate sentences. When judges are restricted by mandatory sentences, they cannot assess an individual's culpability or other factors that have a bearing on recidivism and public safety, thus resulting in inappropriate sentences.

Policies like mandatory minimums have helped fuel mass incarceration and racial disparities – and our communities are not even any safer for it. Instead, the legislature should focus on evidence-based solutions that we know will create safer environments for children. Mandatory minimum sentences will not prevent harm from coming to young people, as there is no relationship between sentencing and deterring people from certain criminal acts.²

¹ Sonja B. Starr & M. Marit Rehavi, *Racial Disparity in Federal Criminal Sentences*, J. Pol. Econ. 122 (2014) (study of federal sentencing patterns shows that Black people are more likely than their white counterparts to be charged and convicted of offenses that carry mandatory sentences).

² See National Institute of Justice, *Five Things About Deterrence*, May 2016, <https://www.ncjrs.gov/pdffiles1/nij/247350.pdf> (clarifying the lack of relationship between criminal deterrence and sentencing).



Instead, they restrict judges' ability to consider individual circumstances and empower prosecutors to force defendants to bargain away their constitutional rights. Mandatory minimums add to our nation's drastic over-incarceration problem without increasing public safety or deterring crime.

We urge you to reject LD 332.

Thank you for your time and attention.