

Testimony in support of LD 425 to the Committee on Judiciary

March 10, 2025

Senator Carney, Representative Kuhn, and distinguished members of the Committee:

My name is Sarah Johnson and I am a resident of Sanford.

I am writing in support of LD 425, An Act to Establish a Conviction Integrity Unit in the Attorney General's Office.

For my testimony I would like to point you to a 2024 report by The Sentencing Project on [sentence review laws](https://www.sentencingproject.org/reports/the-second-look-movement-a-review-of-the-nations-sentence-review-laws/).

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A number of states have found sentences to be unconstitutional at the time of imposition. Part of the Conviction Integrity Unit's mission would be to review cases where there are "facts or circumstances requiring a review in the interests of fairness or justice." One area that needs review is Maine's significant racial disparity in our prison system. This report specifically notes "The nonprofit organization For The People, touts that prosecutor-initiated resentencing (PIR) is a "powerful tool to help repair the damage" of the disproportionate incarceration of Black and Brown people.'"

The report also states "In 2023, the **American Bar Association** adopted a resolution recommending that all states and the federal government adopt prosecutor-initiated resentencing legislation "that permits a court at any time to recall and resentence a person to a lesser sentence upon the recommendation of the prosecutor of the jurisdiction in which the person was sentenced."

Establishing the Conviction Integrity Unit is about exactly what it states by its name, integrity. Our integrity as Maine citizens, and our commitment to our fellow Mainers that no one will be wrongfully convicted or excessively sentenced. As we all know Maine is painfully lacking in defense attorneys, the court systems are overloaded and understaffed, and this did not just happen. These have been issues for many decades. Under the best of circumstances with the most resources the Justice System is complex, and errors are made. The Conviction Integrity Unit's mission is to make our Justice System more just.

I hope you can review this report and consider all the data offered by other states implementing sentence reviews, and I hope you will support his bill.

I will conclude with the report's Executive Summary"

“Today, there are nearly two million people in American prisons and jails – a 500% increase over the last 50 years.¹ In 2020, over 200,000 people in U.S. prisons were serving life sentences – more people than were in prison with any sentence in 1970.² Nearly one-third of people serving life sentences are 55 or older, amounting to over 60,000 people.³ People of color, particularly Black Americans, are represented at a higher rate among those serving lengthy and extreme sentences than among the total prison population.⁴

Harsh sentencing policies, such as lengthy mandatory minimum sentences, have produced an aging prison population in the United States.⁵ But research has established that lengthy sentences do not have a significant deterrent effect on crime and divert resources from effective public safety programs.⁶ Most criminal careers are under 10 years, and as people age, they usually desist from crime.⁷ Existing parole systems are ineffective at curtailing excessive sentences in most states, due to their highly discretionary nature, lack of due process and oversight, and lack of objective consideration standards.⁸ Consequently, legislators and the courts are looking to judicial review as a more effective means to reconsider an incarcerated person’s sentence in order to assess their fitness to reenter society.⁹ A judicial review mechanism also provides the opportunity to evaluate whether sentences imposed decades ago remain just under current sentencing policies and public sentiment.¹⁰”

Thank you for your time and consideration.
Sarah Johnson
Sanford, Maine.