

Testimony in support of LD 986 to the Committee on Judiciary

March 24, 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 986, An Act to Eliminate the Crime of Felony Murder.

Current Maine law allows people to be charged with murder under the ‘felony murder’ definition, if they were connected with a crime that resulted in someone’s death, regardless of intent or presence. The felony murder laws allow a person to be convicted of murder even if they did not commit murder, intend to commit murder, or have any idea that a person could be killed. The only requirement is that the person participated in a felony during which a death occurred. The charge of murder requires a level of intent. The charge of “felony murder” does not require intent or even prior knowledge of the intent of others. We do not have a ‘justice’ system if people can be charged for crimes they did not commit.

An analysis of the 15 people currently serving felony murder sentences in Maine shows that more than half—8 out of 15—are Black, Indigenous, People of Color (BIPOC), indicating significant overrepresentation of racial and ethnic minoritized groups. Studies show that [implicit racial bias plays a role; because there is room for subjectivity in defining felony murder in the court system, research and history demonstrate that Black people are more likely to be perceived as dangerous criminals.](#)

[Felony murder also disproportionately affects women. Because felony murder laws impose identical sentences on individuals regardless of their role in the crime, they can produce especially unjust punishments for women whose criminalized acts are coerced by intimate partners.](#)

A wonderful woman I worked with for 4 years in a prison education department was 17 years old in 1992, and in such an abusive relationship that at the moment of her arrest she remembers feeling like it may have saved her in some way. She was in the backseat of a car when her husband and a friend of his kidnapped and killed a 17-year-old. She admitted to participating in the kidnapping, though it was under the duress of threats of more abuse. A jury convicted her in 1998 of first-degree felony murder for her involvement. She was released just over a year ago, after serving more time in prison for the death than one of the men directly involved, who was released from prison in 2013. When I met her she had earned 2 Associate’s degrees and was completing her Bachelor’s degree in a self paid program as she had long ago exhausted all available prison programming. She worked in the library, tutored women with learning and physical disabilities and was an asset to the education department beyond anything I could describe here. I will never process how she motivated herself to thrive and become such an asset in an environment of harsh punishment, rancid food, frightening medical care, no help healing from her trauma and under the most unjust of sentences. She was

released on parole just over a year ago, and is thriving as an administrator of a University outreach program. A true justice system would have made this happen decades ago. Please do not allow this type of injustice to continue in Maine.

I hope you will support this legislation.

Thank you for your time and consideration.

Sarah Johnson

Sanford, Maine.

<https://msmagazine.com/2024/11/23/briana-martinson-megan-cater-felony-murder-law-reform/#:~:text=In%202019%20New%20York%20passed%20the%20Domestic,people%20who%20played%20a%20pretty%20passive%20role.%E2%80%9D>

<https://www.sentencingproject.org/app/uploads/2023/10/Felony-Murder-An-On-Ramp-for-Extreme-Sentencing.pdf>