

**Testimony in opposition of LD 1263**  
**the Committee on Criminal Justice and Public Safety**  
April 14, 2025

Senator Beebe-Center, Representative Hasenfus and distinguished members of the Committee:

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

I am writing in opposition of LD 1263, An Act Regarding Penalties for Fentanyl Trafficking When That Trafficking Results in an Overdose Causing Serious Bodily Injury of a Person.

Class A crimes are Maine's most serious offenses, [punishable by up to 30 years incarceration and a \\$50,000 fine](#). We have had decades of excessive sentencing that we now know from research is inhumane, counter to public safety, and economically and socially costly. We should not be adding more crimes punishable by excessive sentencing.

We have enough research and experience now to know that excessive sentences are counter productive for public safety. From a Sentencing Project essay: [LONG-TERM SENTENCES: TIME TO RECONSIDER THE SCALE OF PUNISHMENT](#) and reports [Still Life: America's Increasing Use of Long-Term Sentences](#) and [The Second Look Movement: A Review of the Nation's Sentence Review Laws](#)

“Increasingly lengthy prison terms for federal offenses have become counterproductive for promoting public safety. There are several reasons for this: long-term sentences produce diminishing returns for public safety as individuals “age out” of the high-crime years; increasingly punitive sentences add little to the deterrent effect of the criminal justice system; and mass incarceration diverts resources from program and policy initiatives that hold the potential for greater impact on public safety.

A longstanding finding in the criminology literature is that involvement in criminal activity is strongly dependent on age, an outcome that cuts across race and class lines. [Increased involvement in crime begins in the mid-teen years and rises sharply, but for a relatively short period of time.](#)

It is not “tough” to imprison people long past their proclivity— or even physical ability—to commit crime; to the contrary, it is a poor use of resources that could be put toward prevention.”

Governments should be especially cautious in the use of their powers when imposing penalties that deprive offenders of their liberty for a substantial portion of their adult lives. The provision reflects a profound sense of humility that ought to operate when punishments are imposed that will reach nearly a generation into the future, or longer still. A second-look mechanism is meant to ensure that these sanctions remain intelligible and justifiable at a point in time far distant from their original imposition. “

I hope you will oppose LD1263.

Thank you for your time and consideration.

Sarah Johnson  
Sanford, Maine.

<https://www.sentencingproject.org/app/uploads/2022/08/UMKC-Law-Review-Scale-of-Punishment.pdf>

<https://www.sentencingproject.org/reports/still-life-americaos-increasing-use-of-life-and-long-term-sentences>

<https://www.sentencingproject.org/reports/the-second-look-movement-a-review-of-the-nations-sentence-review-laws/>