

Dear Senator Carney, Representative Kuhn and Honorable Members of the Joint Standing Committee Judiciary:

I am writing in support of LD260, to bring an Equal Rights Amendment to Maine's Constitution. My primary reason for supporting the ERA is quite basic: I come from a lineage of Maine women who contributed hundreds of thousands of hours to bettering our community, largely as volunteers, and without recognition. They deserved and my daughters deserve the full rights and responsibilities of citizenship, unabridged, period. We do not deserve more or less than anyone else. An Inclusive Equal Rights Amendment clarifies this for all of us.

As part of the Maine ERA For All coalition, spent the summer in study-mode. The scholar Julie C. Suk persuaded me that the biggest reason to support State ERA amendments is not the outcome, but instead the invitation for public civic engagement. We need Constitutions to be more practical, more understood, and more reflective of our shared civic values and amendment campaigns allow us to more fully debate what "we the people" wish for our shared society.

### **Good Government Means Trusting the People**

- Maine has a long tradition of direct democracy—voters deserve the chance to weigh in on the most meaningful issues of our time. At a time of significant distrust in government, involving the people in major decisions reinforces democracy and civic trust.
- Civic dialogue is essential to democracy, and building social cohesion. The consequences of alienation (lack of cohesion) include reduced cooperation and refusal of social norms, individual mental and physical health problems, and increased violence in society.
- Knowing about and protecting our rights is a fundamental human right, however most of the recent college students I teach have had little to no basic knowledge about their civil or human rights. (A recent national study found that only 1 in 20 people could name the 5 rights protected by the First Amendment, another found 1/3 of those surveyed could not name any of them. Civic literacy is generally low which threatens our ability to maintain Democracy.
- People support the ERA in large numbers. Other states, like Nevada (2022) and New York (2024), have overwhelmingly passed similar ERAs—Maine's Legislature should not block the people's voice.

### **Protecting Civil and Human Rights in a Time of Uncertainty**

- As federal protections for civil and human rights are alarmingly eroded, States must step up to ensure equality and freedom from discrimination for all members of our community.
- Iowa recently became the first State to rescind a civil right enshrined in the law. We need Constitutional protections to ensure we are not endlessly battling against efforts to roll back rights we have come to take for granted.
- I am stunned to acknowledge that my daughters will encounter a society where they do not enjoy the basic rights of citizenship; enshrining the ERA is one tool left to give them.

### **Equal Rights: A Moral and Economic Imperative**

- Equal opportunity has fueled progress in every field—protecting it benefits all of us, not just marginalized groups.

- A strong, diverse workforce is key to Maine's future—ensuring equal rights makes the state more welcoming and competitive. Even the Harvard Business Review claims that diverse teams are more successful.
- Anti-discrimination simply ensures that the State will not actively discriminate, the argument that this creates "special rights" is rhetorical manipulation. Any claim that rights have been violated must be proven before the Court and all members of a protected class, including those historically privileged, have the right to bring a claim.

### **LGBTQ+ Rights: Progress Must Be Protected**

- Maine affirmed LGBTQ civil rights protections in 2005 and same-sex marriage in 2012, through referenda. We easily rejected trans-exclusive bills in 2021 and 2023. We simply do not want to discriminate on the basis of sex or gender. Having to continually fight to protect these rights is exhausting, expensive and often traumatic. A small but vocal opposition nevertheless seeks to undermine these rights through misinformation and fear tactics, resulting in dehumanization that puts targeted individuals at risk for increased discrimination and violence and tears at our social fabric.
- Trans inclusion in schools and sports is not a problem—it's about fairness and belonging, as demonstrated by clear public support. This Bangor Daily News article clearly notes that trans girls are literally a miniscule proportion of student athletics, and targeting them is basic bullying.
- The work of scholar Kimberlé Crenshaw describes the importance of allowing people to address discrimination based on their full experience, rather than having to choose between specific protected classes that are actually experienced as mutually constituting. An even more complex ERA might name this particular recognition specifically (as suggested here).

### **Hate Crimes & Dehumanization Must Be Stopped**

- Hate-fueled violence is on the rise, disproportionately targeting Jewish and Muslim people, and communities of color. White nationalist groups have recently posed active threats in Maine. Hate crimes and threats of hate stoke fear, distrust and trauma. This can lead members of targeted communities to retreat from public life - we know there are many immigrant families currently afraid to go grocery shopping or send their children to school. We simply cannot cede our communities to a small group of violent bullies.
- Political violence has targeted many of our State leaders, and driven some women of color out of politics/public life entirely —this is a direct threat to democracy. The ERA will give the State more leverage to counter political violence even if the Federal Government looks askance.
- Gender based violence in schools, homes and workplaces continues to prevent girls, women and trans and nonbinary people from experiencing full freedom and safety. We need more resources to address this ongoing threat if we want to tap the full potential of all Maine people.

### **Building a More Inclusive Maine**

- Maine desperately needs to grow our population, through welcoming young parents and children and through welcoming those moving within the United States and from other Countries.
- Welcoming communities thrive—diversity strengthens problem-solving, innovation, and economic growth. Practices that expand belonging lead us to create more cooperation, collective care for our neighborhoods and public spaces, and more safety for everyone.

- Passing the Equal Rights Amendment onto voters will fuel a deep sense that all community members matter and have value. Maine needs common cause and a stronger connection as we face the urgent future.

For these reasons, and because I simply do not want to be excluded from my State's Constitution, I urge you to vote "Ought to Pass" on LD260.

Sincerely,

Kimberly Simmons, PhD

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