



April 24, 2023

Senator Carney, Representative Moonen, and Honorable Members of the Joint Standing Committee on Judiciary,

I join you today **in support of LD 1412, "RESOLUTION, Proposing an Amendment to the Constitution of Maine Establishing That All Maine Residents Have Equal Rights Under the Law"**, on behalf of the Maine Women's Lobby, which advocates for gender justice for all Mainers. We thank Rep. Reckitt for sponsoring this important legislation.

Maine has deeply held beliefs and values regarding equality and protection from discrimination – in fact, our Human Rights Act is a national model. Still, data – as well as our own eyes and experiences - make it clear that we have not yet achieved the equality we dream of. Women in Maine:

- Are more likely to live in poverty (2),
- Still make between .66 and .88 cents for every \$1.00 a white man makes (3),
- Are more likely to experience sexual harassment and violence (4);
- Are more likely to be discriminated against in the workplace (5); and
- Are less likely to be represented in Government (Women make up only 28 percent of the US Congress, and 32 percent of State Legislatures. Maine is at the forefront, but still with less than parity at 44 percent in our state legislature (6)).

All of this, and the effects are even more profound and harmful for women who also experience racism, homophobia, transphobia, xenophobia, and discrimination based on differing abilities.

An amendment to our Constitution won't solve all of these problems – these are structural inequities that no single law or amendment can change. Still, there are a few very specific circumstances that this Amendment could address:

- **Offering protections where the Maine Human Rights Act is silent**, especially around redress for experience of gender-based or racially-motivated violence.

(2) United States Census Bureau, 2014—2018 Poverty Rate in the United States By County. (2019). Retrieved from <https://www.census.gov/library/visualizations/interactive/2014-2018-poverty-rate-by-county.html>

(3) Lifetime Wage Gap Losses for Women Overall State Rankings: 2018. (2020, March). Retrieved August 3, 2020, from <https://nwlrc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2020/03/Women-Overall-Lifetime-Losses-2020-v3-1.pdf>

(4) Dumont, Robyn MPPM and Shaler, George MPH (2015). 2015 Maine Crime Victimization Survey: Informing Public Policy for Safer Communities. Maine Statistical Analysis Center. Retrieved from https://digitalcommons.usm.maine.edu/maine_statistical_analysis_center/5

(5) PanAtlantic Research (2019). Report to Maine Can Do on Sexual Harassment in Maine Workplaces.

(6) Rutgers University (2021). Center for American Women in Politics. Retrieved from

<https://cawp.rutgers.edu/facts/levels-office/state-legislature/women-state-legislatures-2023>

(7) Cutler Institute of Health Policy. (2022). Economic Security of Older Women in Maine: A Databook. Retrieved from <https://www.mainewomen.org/s/EconomicSecurityOlderWomeninMaineReport-FINAL2.pdf>

- Pay equity, which has actually been exacerbated by COVID-19 – in fact, we are losing ground substantially in that realm, with the **gender-based and race-based pay disparities actually growing** (7). While several state laws have chipped away at this, a Constitutional right offers protections that a state law does not afford.
- Clarifying that all Mainers who are harmed by discrimination based on gender, race, religion, ability, and nation or origin are **equally protected and valued under the law**.
- **Creating avenues for redress and accountability that currently fall short.** I know from over a decade in sexual assault response work that one size does not fit all when it comes to the experiences for survivors or the pathways to justice. We know that real justice and equity is achieved through many means, and this amendment could be one tool to that end.

Systemic challenges need and deserve systemic solutions, embedded in state government. We don't even have a statewide infrastructure to address these kinds of inequities built into our state, in fact, a bill for the first funding for our state's Permanent Commission on the Status of Women is before the Legislature right now. It is currently run almost entirely by volunteer labor. That is not equity. **It's time to write equity into our state's foundational documents, and then keep going, until our government reflects the people it is built to serve.**

Finally, a Constitutional amendment is also an opportunity to bring the voice of Mainers into shaping what justice looks like in our state. We know that we share a dream of statewide equity, and we should extend the opportunity to weigh in to all Maine voters. **We hope you will vote 'Ought to Pass' on LD 1412.**

Sincerely,

Destie Hohman Sprague, Maine Women's Lobby

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