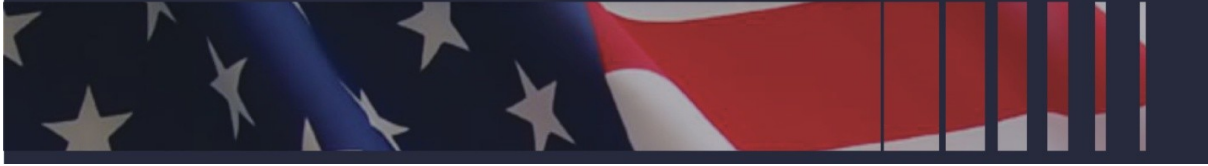


PROTECTED INNOCENCE INITIATIVE

STATE ACTION. NATIONAL CHANGE.



Maine State Facts

Criminalization of DMST

1. Maine does not have a sex trafficking law, instead relying on kidnapping and criminal restraint laws to prosecute sex trafficking crimes.

Criminal Provisions Addressing Demand

2. Maine Attorney General William Schneider was one of 51 Attorneys General who signed a letter to Backpage.com calling on the company to disclose its efforts to identify and delete advertisements that facilitate sex trafficking, specifically of minors.¹
3. Limited options exist to prosecute demand. Laws used instead of sex trafficking, including kidnapping and criminal restraint, do not make the purchase of commercial sex with a minor a crime, leaving buyers to be prosecuted for the crime of patronizing prostitution of a minor punishable by up to 1 year in jail and/or a maximum fine of \$2,000, except when it is proven that the buyer knew the person was under 18 then the penalty is increased to up to 5 years and a possible fine up to \$5,000.

Protective Provisions for Child Victims

4. A statutory civil cause of action for damages suffered by a victim of human trafficking is provided when the victim was subjected to forced prostitution, but crime victims' compensation eligibility requirements might prevent a domestic minor sex trafficking victim from receiving important funds for care and recovery.

Criminal Justice Tools for investigation and Prosecution

5. Law enforcement investigations are made more difficult because wiretapping is not permitted and no law expressly authorizes the use of a decoy in domestic minor sex trafficking investigations or prohibits a defense based on the "minor" being an adult.
6. The Portland Police Department is coordinating with the Boston Police to investigate cases of human trafficking and individual police officers are providing training to the local hotels and service providers.² The Maine Community Policing Institute has been offering training since as far back as 2005, but training for law enforcement is not required.³

¹ <http://www.tn.gov/attorneygeneral/cases/backpage/backpageletter.pdf>

² <http://portlanddailysun.me/node/25865/18808>

³ <http://www.humantrafficking.org/events/100>.