

§304. Criminal forced labor

1. A person is guilty of criminal forced labor if the actor, without the legal right to do so, intentionally or knowingly:

A. Withholds or threatens to withhold a scheduled drug or alcohol from a person who is in a state of psychic or physical dependence, or both, arising from the use of the drug or alcohol on a continuing basis in order to compel that person to provide labor or services having economic value; [PL 2017, c. 416, §2 (NEW).]

B. Withholds or threatens to withhold a substance or medication from a person who has a prescription or medical need for the substance or medication in order to compel that person to provide labor or services having economic value; [PL 2017, c. 416, §2 (NEW).]

C. Uses a person's physical or mental impairment that has substantial adverse effects on that person's cognitive or volitional functions as a means to compel that person to provide labor or services having economic value; [PL 2017, c. 416, §2 (NEW).]

D. Makes material false statements, misstatements or omissions in order to compel a person to provide labor or services having economic value; [PL 2017, c. 416, §2 (NEW).]

E. Withholds, destroys or confiscates an actual or purported passport or other immigration document or other actual or purported government identification document in order to compel a person to provide labor or services having economic value; [PL 2017, c. 416, §2 (NEW).]

F. Compels a person to provide labor or services having economic value to retire, repay or service an actual or purported debt if:

(1) The reasonable value of the labor or services is not applied toward the liquidation of the debt; or

(2) The length of labor or services is not limited and the nature of the labor or services is not defined; or [PL 2017, c. 416, §2 (NEW).]

G. Uses force or engages in any scheme, plan or pattern to instill in a person a fear that, if that person does not provide labor or services having economic value, the actor or another person will:

(1) Cause physical injury to or death of a person;

(2) Cause destruction of or consequential damage to property, other than property of the actor;

(3) Engage in other conduct constituting a Class A, B or C crime or criminal restraint;

(4) Accuse a person of a crime or cause criminal charges or deportation proceedings to be instituted against a person;

(5) Expose a secret or publicize an asserted fact, regardless of veracity, that would subject a person, except the actor, to hatred, contempt or ridicule;

(6) Testify or provide information or withhold testimony or information regarding a person's legal claim or defense;

(7) Use a position as a public servant to perform some act related to an official duty or fail or refuse to perform an official duty in a manner that affects a person; or

(8) Perform any other act that would not in itself materially benefit the actor but that is calculated to harm the person being compelled with respect to that person's health, safety or immigration status. [PL 2017, c. 416, §2 (NEW).]

[PL 2017, c. 416, §2 (NEW).]

2. Criminal forced labor is a Class C crime.

[PL 2017, c. 416, §2 (NEW).]

3. It is an affirmative defense to prosecution under this section that the person engaged in criminal forced labor because the person was compelled to do so as described in subsection 1.

[PL 2017, c. 416, §2 (NEW).]

SECTION HISTORY

PL 2017, c. 416, §2 (NEW).

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