



## MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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### EXECUTIVE DIRECTOR

Senator Anne Carney  
Representative Matt Moonen  
Committee on Judiciary  
100 State House Station, Room 438  
Augusta, ME 04333

RE: LD 1435 – An Act to Reduce Commercial Sexual Exploitation

Dear Senator Carney, Representative Moonen, and Members of the Committee on Judiciary,

MACDL opposes LD 1435. This bill remakes, yet again, Maine law as it relates to sexual trafficking and prostitution. Over the past several years, the Legislature has passed a number of bills and enacted into law a whole host of provisions that increase penalties for engaging in prostitution and engaging a prostitute. It is unclear why this bill has been proposed as there is no evidence that has been developed to determine the impact of the changes to prostitution-related crimes to date.

Additionally, increasing the class of crime for “commercial sexual exploitation of a child” and “solicitation of a child for commercial sexual exploitation” is being advanced in the total absence of any evidence that the current classification of the crime as a Class D crime, carrying with it up to 364 days in jail, is inappropriate. There will be no testimony from anyone that indicates that a judge has said in the course of sentencing someone for the Class D crime that 364 days was not enough of a sentence and then sentence the defendant to that 364 days; rather, these crimes, when sentenced, are well within the Class D range of sentences from 0 to 364 days, and there is no reason to make these crimes felonies carrying penalties up to 5 years in prison.

Thank you for the opportunity to address this bill.

Sincerely,

Walter F. McKee  
Chair, Legislative Committee