



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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May 12, 2025

Senator Carney
Representative Kuhn
5 State House Station, Room 436
Augusta, ME 04333

RE: LD 1805 An Act to Establish a Post-conviction Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation.

Dear Senator Carney, Representative Kuhn and members of the Judiciary Committee:

MACDL supports LD 1805 An Act to Establish a Post-conviction Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation.

In 2023, Maine repealed the crime of “Engaging in Prostitution” through LD 1435. Repeal of this former crime recognized that prosecution of people for engaging in prostitution was revictimizing people who have already been trafficked and victimized. LD 1435 stopped this further victimization prospectively, but was unable to provide retrospective relief to victims of sex trafficking and exploitation. LD 1805 takes this important second step by providing a mechanism for victims of sex trafficking to vacate convictions arising out of being trafficked or exploited.

A criminal record is a significant barrier to success in life. All too many employers run background checks and remove applicants from consideration based on a minor criminal record. A criminal record may also affect loan and housing applications. There are already too many barriers for poorer people in Maine without adding the life-long stigma of a criminal conviction.

These barriers are especially difficult when someone has been convicted of a sex crime or a crime arising out of sex trafficking and exploitation. Sex convictions carry more stigma than convictions such as operating under the influence. In addition, the common advice given to people with a criminal record when applying for a job—explain what happened—is extremely difficult for victims of trafficking and exploitation because doing so means revisiting these traumatic times in their lives in a job interview.

LD 1805 provides a mechanism for victims of sex trafficking and exploitation to vacate prior convictions entirely. This kind of complete and total erasure of the conviction, unlike the sealing proposed in LD 1871, is the best way to give someone a true second chance.

For all these reasons, MACDL supports LD 1805.

Thank you.

Sincerely,

/s/ Matthew D. Morgan

Matthew D. Morgan, Esq.

MACDL President Elect