



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 1871 An Act to Permit Sealing Criminal History Record Information of Victims of Sex Trafficking or Sexual Exploitation.

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

MACDL supports LD 1871 An Act to Permit Sealing Criminal History Record Information of Victims of Sex Trafficking or 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In 2023, Maine repealed the crime of “Engaging in Prostitution” through LD 1435.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 1871 takes this important second step by providing a mechanism for victims of sex trafficking to seal convictions arising out of being trafficked or exploited.

A sealed conviction is critical for many people to get meaningful employment. 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.

MACDL supports LD 1871 as a commonsense measure to give victims of sex trafficking and exploitation and true second chance.

For all these reasons, MACDL supports LD 1871.

Thank you.

Sincerely,
/s/ Matthew D. Morgan
Matthew D. Morgan, Esq.
MACDL President Elect