

January 8, 2025

In Support of LD 19117 and LD 1919
Bills Expanding and Strengthening Criminal Record Sealing Pathways

Dear Honorable Members of the Maine Joint Standing Committee on Criminal Justice and Public Safety,

On behalf of TJP Advocacy, I write today to request your support on LD 1917 – An Act to Allow the Sealing of Criminal History Record Information Related to Convictions for Conduct That Is No Longer a Crime in the State and LD 1919 – An Act to Expand the Types of Convictions Eligible for Sealing Through a Post-judgment Motion to Seal Criminal History Record Information.

TJP Advocacy is a 501c (4) organization and is the action arm of The Jensen Project, a private operating foundation, supporting non-profits and individuals through strategic grants, resources, and holistic help. The Jensen Project was founded by Janet Jensen. Janet is a rape survivor and advocates committed to being a strategic partner in filling the needs of organizations in the fight against sexual violence by providing opportunities to expand their leadership skills and find a network of like-minded professionals to get support with staffing, cash flow, fundraising, operations, day-to-day questions, and more.

Maine has demonstrated national leadership in adopting evidence-based, trauma-informed and survivor-centered approaches to deterring sex trafficking and supporting survivors. In 2023, the Legislature took a landmark step forward by passing of LD 1435 An Act to Reduce Commercial Sexual Exploitation, and LD 1436 An Act to Provide Remedies for Survivors of Commercial Sexual Exploitation, led by the late Rep. Lois Reckitt. These reforms shifted accountability away from victims and toward those who exploit them, while creating meaningful pathways to stability and freedom for survivors through post-conviction relief.

LD 1917 and LD 1919 are the next necessary steps in the arc of progress.

LD 1917 ensures that individuals convicted of conduct that is no longer illegal – including those whose actions were shaped by coercion or exploitation – are no longer burdened with records that serve no public safety purpose. The bill eliminates unnecessary waiting periods and allows justice to reflect current law and values.

For survivors of trafficking and sexual exploitation who are frequently compelled to commit crimes at the direction of traffickers, this bill removes a barrier between legal recognition of harm and true relief.

LD 1919 advances the recommendations of the Criminal Records Review Committee and expands eligibility for sealing to categories of offenses that disproportionately affect survivors. Importantly, it allows sealing of all drug possession convictions, allows sealing of many drug-related offenses short of aggravated trafficking or crimes involving firearms, makes most nonviolent Class D convictions eligible, and clarifies that individuals can request sealing of multiple convictions if they meet eligibility requirements. These reforms reflect the lived reality of trafficking and exploitation. Survivors are often criminalized for the very behavior traffickers force them to engage in.

It is widely known that victims of sex trafficking and exploitation are forced to commit crimes during the course of their victimization. The burden of criminal records frequently hinders victims from gaining access to employment, housing, education, and more. As part of the [National Survivor Study](#) looking at the impact of criminal records on sex and labor trafficking victims, 40% of survivor respondents reported some kind of criminal record as a result of their trafficking experience. Of those, 69% responded that criminal records kept them from getting or keeping a job, 59% responded that their record affected their ability to get good, safe housing, 63% reported their record affected their ability to receive education, training, or a professional license and another 35% responded that their criminal record affected their custody of their children. Criminal relief, beyond that for solely prostitution-related offenses, is necessary to provide adequate support to survivors of sex trafficking and exploitation.

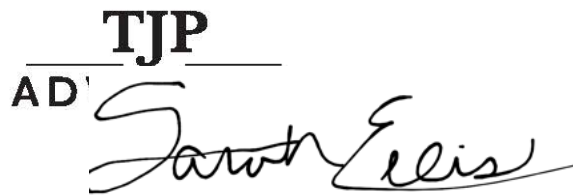
LD 1917 and LD 1919 recognize that accountability belongs with exploiters, not victims. They also set the precedent that criminal records should not outlast the conduct the state acknowledges as noncriminal or less culpable. Lastly these bills show a commitment to survivors that they deserve a fair path to housing, safety, employment and dignity.

TJP Advocacy is committed to the fight to end commercial sexual exploitation by providing ongoing support and advocacy on behalf of survivors of exploitation and trafficking.

As LD 1917 and LD 1919 is reviewed by the Joint Standing Committee on Criminal Justice and Public Safety, TJP Advocacy strongly urges you to consider and support this legislation.

Thank you for your consideration. Please do not hesitate to reach out with questions about how these bills would impact survivors of human trafficking and exploitation.

Sincerely,



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