



February 3, 2026

Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on the Judiciary: My name is Maggie Zall, and I am here today on behalf of SWIRL — Sex Workers Inspiring Rights and Liberation, Maine's human-rights-based sex worker advocacy organization, **to oppose LD 2168, *An Act to Increase Accountability for Persons Engaged in Commercial Sexual Exploitation and Human Trafficking and to Support Victims.***

I want to begin by naming an important truth: it is possible for well-intentioned people to disagree about how best to address human trafficking and how best to keep people engaged in sexual labor — whether consensually or through coercion — safer. I believe this bill comes from a sincere desire to reduce harm. We share that goal. But when we are crafting policy intended to create safety, it is critical that we set aside what *feels* right and look honestly at what the evidence shows actually *works*.

With sexual violence and exploitation, what feels like common sense — especially when it comes to punishment — and what increases safety are very often not the same thing.

This bill seeks accountability from buyers and attempts to convert that accountability into financial penalties for the benefit of victims. I understand the impulse. These are serious harms. It feels right to punish people who cause them.

But punishing buyers does not make people in the sex trades safer.

What the data and lived experience consistently show is that when we increase legal or financial pressure on buyers, they do not absorb that risk. They displace it. Buyers respond by demanding faster transactions, resisting screening, pushing encounters into more isolated locations, and exerting more control over the terms of the exchange. The risk always lands on the least powerful person — the seller — whether that person is a consensual adult sex worker, someone engaged in survival sex, or someone currently experiencing trafficking.

Risk does not disappear. It is transferred.

And when conditions become more dangerous, people are *less* likely to disclose coercion, *less* likely to seek help, and *less* likely to be in a position to identify traffickers or abusive third parties. Safety is what enables identification. Safety is what enables exit.

I also want to situate this bill in the context of LD 1435, which Maine passed in 2023. That law created a unique, compromise-based framework — one that attempted to balance

enforcement-oriented approaches with human-rights- and health-based approaches. It partially decriminalized people selling sex without layering on new punitive measures for buyers.

Maine is now a test case. This framework has not yet been fully implemented, evaluated, or assessed for long-term outcomes or unintended consequences. Changing the enforcement landscape now — before we understand what is working and what is not — will make meaningful evaluation much harder and risks destabilizing a fragile system in ways that disproportionately harm marginalized people.

This concern is echoed by the Criminal Law Advisory Commission, which has raised objections to treating certain offenses differently based on political appeal rather than coherent criminal law principles. Creating new, crime-specific financial penalties because they feel morally satisfying sets troubling precedent and undermines consistency in our legal framework.

Finally, I want to be very clear about something important: children and adults are different, and they require different legal responses.

Sexual exploitation of minors is real, serious, and already illegal. Adult consensual sex work is a separate issue. Collapsing these realities into a single enforcement framework weakens our response to trafficking, erases adult consent and agency, and misdirects resources.

Survivor-centered practice depends on context, self-identification, and choice in how harm is named and addressed. Laws that treat all sexual labor as exploitation reduce disclosure, increase fear, and make it harder — not easier — to identify actual coercion.

LD 2168 is well-intentioned. But its impact would be to make people less safe.

We urge this committee to pause, to evaluate Maine's existing framework before adding new punitive layers, and to pursue approaches that are grounded in evidence, precision, and the lived realities of the people most affected.

Thank you for your time and consideration.

Maggie Zall
Portland
LD 2168

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