

STATE OF MAINE

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JACQUELINE SARTORIS  
DISTRICT II

NEIL MCLEAN  
DISTRICT III

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DISTRICT VI

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DISTRICT VII

TODD R. COLLINS  
DISTRICT VIII

MAINE PROSECUTORS ASSOCIATION  
TESTIMONY OF ASSISTANT DISTRICT ATTORNEY NATE WALSH

LD 1092

“An Act to Expand Services for Women Who Experience Gender-based Trauma and Violence”

Before the Committee on Health and Human Services

Public Hearing Date: March 27, 2023

Testimony in Support of LD 1092

Senator Baldacci, Representative Meyer and members of the Committee on Health and Human Services. My name is Nate Walsh and I represent the Maine Prosecutors Association to testify in support of LD 1092.

I am a prosecutor from District 3 and I work primarily in Lewiston and Auburn. Specifically, I have been designated to prosecute Human Trafficking offenses in my district. Some of my cases have involved the commercial sexual exploitation of children, or “CSEC.” These crimes are some of the most heinous we see, as they involve sexually exploiting vulnerable children for money. Promoting the prostitution of a child between the ages of 15 and 17 is a Class B felony punishable by up to 10 years in the Department of Corrections, and promoting the prostitution of a child 14 or younger is a Class A felony punishable by up to 30 years in the Department of Corrections. A person who pays money to have sex with a child under the age of 18 commits a Class C felony punishable by up to 5 years in the Department of Corrections. Additionally, convictions for these offenses also carry obligations to register as a sex offender.

Maine has made clear that there is no such thing as a “child prostitute,” in that a person is not able to be charged with Engaging in Prostitution as a juvenile offense. They are victims of

child rape and sexual violence. Their traumatic experiences as children will stay with them into adulthood.

The problem is real and it is here. I have participated in a Human Trafficking operation where law enforcement officers posted an online advertisement on a website known for prostitution and then offered sex with a child under 18 for a fee to the people who responded. Some of the people said yes. This was not in a faraway major city, this was in Portland last May. In 2019, a Biddeford man was convicted in federal court for conspiracy to commit sex trafficking of a 15-year-old girl in hotels in Bangor as well as Scarborough.

These victims are not abducted from parking lots and chained up in dark rooms. They are children who are manipulated by traffickers. I have also worked as a Juvenile Prosecutor. I can tell you that a lot of kids don't always make good choices or fully understand the consequences of their actions regardless of their backgrounds or who their parents are. Traffickers and people who exploit children sexually use that to their advantage. We need people to be vigilant and to look out for children who are at risk. That's where Child Advocacy Centers are crucial.

Crimes against children are taken seriously, and as a result, these criminal cases may take a long time to resolve once charges have been filed. During that time, children who are victims are in need of services and resources to be sure that they are in a stable living situation, and in a safe environment. Those services have proven to be difficult to come by in my experience.

I can tell you that our state lacks sufficient resources to address the needs of these victims. Specifically, there is a shortfall in resources to support these victims while their cases are pending. Often, their families struggle to provide care for them. They run away from home, are found and returned, only to run away again. There are problems with substance use. Some of these victims spiral while a case is pending, and it's like watching a disaster unfold without the ability to stop it.

We look to the Department of Health and Human Services, but despite having child protective professionals with immeasurable compassion and an unyielding resolve to better their communities and protect our children, they need resources.

In my role, I often speak with people about the need for “services” or “resources,” but those are vague terms. LD 1092 will help us to address that problem.

When a child is suspected of being a victim of sexual abuse, we use a Child Advocacy Center to conduct a forensic interview of the child. A trained and skilled interviewer conducts a recorded interview that is trauma informed in a non-threatening environment. The recording then prevents numerous investigators and attorneys from repeatedly questioning the child about the abuse, compounding their trauma and re-victimizing them each time they have to sit and discuss what has been done to them. It’s just one of the functions of a C.A.C., and they are crucial to a CSEC investigation.

LD 1092 would designate two coordinators within the state and fund case managers for our victims so that someone is there for them throughout the investigation and pendency of the criminal case. It will make it so that prosecutors can confidently advance a case knowing that our victim is supported and that we can seek justice on their behalf.

Additionally, these positions would help to prevent future victims of CSEC. When children are brought to Child Advocacy Centers presenting with signs that they may be vulnerable to future exploitation, these people will be able identify it and attempt to prevent it. It will all help to advance the cause of justice for our children.

Thanks for your time and I am available for any questions you may have.

A handwritten signature in black ink, appearing to read 'Nate Walsh', with a long horizontal line extending to the right.

Nate Walsh  
Assistant District Attorney  
Androscoggin County District Attorney’s Office