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STATE OF MAINE

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Testimony Submitted 5/12/2025 to the Joint Standing Committee on Criminal Justice and Public Safety

Senator Beebe-Center, Representative Hasenfus, and members of the Joint Standing Committee on Criminal Justice and Public Safety

RE: An Act to Combat Organized Criminal Enterprises in Maine – L.D. 1888

My Name is Nate Walsh and I am a resident of Freeport. I am also an Assistant District Attorney, proudly serving Prosecutorial District III, where I have worked specifically as a Human Trafficking prosecutor for the last decade. I would like to thank you for allowing me to offer my testimony in support of L.D. 1888.

I am offering my support for the bill before you, on behalf of Prosecutorial District III, and urge you to vote that it ought to pass, as it will provide a much needed and overdue tool for Maine law enforcement to curb organized crime in our state. A racketeering bill will allow for law enforcement to better hold accountable those who seek to profit from the trafficking of illegal drugs and human beings, those who benefit from thefts from our local businesses and community members, and those who direct or carry out acts of violence in furtherance of their criminal enterprises.

The intent is to allow prosecutors to bring charges against individuals for their role in a pattern of criminal activity. With the bill before you, a criminal who is proven to be part of a group that is profiting from a human trafficking business, such as an illicit massage parlor, could be charged with a Class C felony if they are proven to

have engaged in two prior instances of misdemeanor sex trafficking, such as receiving the financial proceeds from the illicit massage parlor. Maine has seen a growing problem with illegal marijuana growing operations run by organized criminal groups with ties beyond our state border. Sen. Susan Collins has called upon the federal government to strengthen its response. This bill would better enable our state law enforcement to respond to this problem at home.

Presently, prosecutors might be able to charge these criminals under an accomplice theory of liability, which requires the State to prove the actor intended to promote or facilitate the commission of the index offense itself, or solicited or aided someone to plan or commit that crime. This law stops short of providing an avenue to hold accountable those who inoculate themselves from liability for the index offenses, but are profiting from a broader pattern of illegal activity. Similarly, prosecutors might choose to bring Criminal Conspiracy charges, but that statute only allows for a conspirator to be charged with one class of crime lower than the most serious crime that is the object of the conspiracy.

Although the drafting of this bill references the Maine Criminal Code, the format and much of the language is influenced by the Enterprise Corruption and Organized Crime Control Act in New York, which was passed into law in 1986. There are a number of changes from New York's law, but these were intended to simplify the language and process for bringing a charge under this new provision in Maine.

President Richard Nixon signed our federal Racketeer Influenced and Corrupt Organizations (RICO) Act into law in 1970, some 55 years ago. The time has come for Maine to adopt a criminal law to directly fight organized crime that is operating in our communities.

I urge you to support L.D. 1888 and to vote that this bill ought to pass.

Thank you,



Nathan R. Walsh
Assistant District Attorney
Prosecutorial District III