

Testimony on LD 2168: An Act to Increase Accountability for Persons Engaged in Commercial Sexual Exploitation and Human Trafficking and to Support Victims
(Position: *For*)

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My name is Michael Shively, and I am a Senior Advisor to the National Center on Sexual Exploitation and to Street Grace, and a member of New Englanders Against Sexual Exploitation. For more than 35 years I have lived in Massachusetts and conducted crime victimization research and evaluations of criminal justice law and policy. For more than 20 years I had a continuous series of eight grants from the U.S. Department of Justice and the U.S. State Department to conduct research on exactly the issues addressed by LD2168, including studies of prostitution and sex trafficking victimization and prevalence, and the motivations and traits of human traffickers and the criminal enterprises they operate.

Decades of conducting original research and reviewing thousands of studies about the sex trade in the U.S., in addition to recent research we have recently conducted in Maine, lead to me to strongly support this bill.

LD2068 is perfectly aligned with the proven, evidence-based model that has been found elsewhere to reduce prostitution activity, community calls for service to police, and sex buyer recidivism by 40% to 80% (more details are provided below). The model features:

- **Arresting, sanctioning** (including fines and fees), and (ideally, but not necessarily) **educating** sex buyers
- **Pursuing restorative justice** (fines and fees from buyers funding victim services and/or restitution)

The proposed increase in fines would still leave Maine on the low end of the spectrum. Fines for basic purchasing of sex in the U.S. range from approximately \$100 to \$5,000, and many states have escalating fines for repeat offenders. Fines for first time patronizing prostitution in other New England states, and a sample of other small-population states:

Massachusetts	\$5,000 (\$1,000 min.)	Vermont	\$100
New Hampshire	\$2,000 (\$500 min.)	Montana	\$5,000
Connecticut	\$2,000	Idaho	\$1,000
New York	\$1,000	Wyoming	\$750
Rhode Island	\$1,000 (\$250 min.)	Delaware	\$500 min.

Another feature of LD 2168 is found in many successful programs in the U.S.: using the revenue gathered from arrested sex buyer to support survivor services, as a form of “restorative justice.” Whether through fees attached to programs, or fines paid directly to courts, sex buyers have proven they are capable of paying thousands of dollars for a first offense. For example, dozens of sex buyer education programs in the U.S. support their operations entirely from fee and fine revenue, and then

produce additional resources that support survivor programs. For example, in Nashville, with just half of Maine's population, the "john school" program fees produced approximately \$80,000 - \$100,000 per year for the Thistle Farm survivor program, with a fee of just \$250. In San Francisco, with less than half of Maine's population, more than \$1,000,000 in fees from arrested sex buyers was generated to support programs for sex trade survivors, based on a \$750 fee.

Further evidence in favor of LD 2168, as well as the broader Equality Model law (LD 1435), is provided by recent research supported by the Jensen Project conducted in Maine and 2026, which measured the demand for trafficked and commercial sex in Portland and Bangor. The Epik Project deployed online decoy advertisements for prostitution to identify and engage those who respond and express interest in making these transactions. The ads were deployed over two months (May and June, 2025) in two Maine cities (Bangor, Portland). Those cities were presented as the locations in which the decoy prostitution event would take place.

- There were prostitution purchase attempts made by **231** unique individuals, responding to just one advertisement on one online platform.
- There is *evidence suggesting that the approach to enforcement consistent with the Equality Model law may have a positive impact:*
 - There were **far more sex buyers identified in Bangor (215)**, where there is a long history of very little police action to apprehend sex buyers, **than there were in the Portland area (16)**, which has historically conducted far more reverse sting operations and public disclosure of sex buyer identities.
- Data from a second study corroborate those findings. In mid-December, 2025, a Transaction Intercept operation conducted by Street Grace featured an ad offering a fictional woman for paid sex posted on a popular site used for prostitution in the Bangor area. Over a **two-day** period, **95 unique sex buyers responded**. In January, 2026, the same ad was posted in the Portland area for the same timeframe (number of days, days of the week, times of day), and just **37 sex buyers responded**. When accounting for the fact that Bangor's population (less than 32,000) is less than half of Portland's (over 68,000), ***Bangor had more than five times the number of sex buyers responding to a prostitution advertisement than was found in Portland***, adjusted for population size.
- Finding so many more sex buyers in Bangor than in Portland is particularly striking when considering that **Bangor's population is half the size of Portland's**. Adjusted for population, ***the level of sex buyer response to the advertisements was at least five times greater in Bangor***.
- While it may be alarming to find that just one advertisement can produce the identification of dozens of actively shopping sex buyers in just two days in small cities, ***these results certainly vastly under-represent the true level of local sex trade activity***.
 - There are many websites, apps, social media platforms, and gaming systems used to solicit commercial sex electronically, in addition to conducting transactions in-persons at store-front brothels (e.g. spas, nail salons, massage businesses, bars) or on the streets. If one could measure activity across all venues and electronic platforms, the numbers in both cities would likely be many times larger.
- Why were so many more sex buyers responding in Bangor? Probably many factors contribute, but one difference between these cities is clear, based on years of research tracking demand reduction efforts in Maine for the website Demand Forum: ***The Portland area has a long history of demand reduction tactics used by police, while Bangor does not.***

- **Portland** (and abutting cities such as South Portland) *has a history of conducting proactive police operations* (reverse stings) *designed to arrest sex buyers*, and publicizing the identities of the arrested men.[1] *We have found no public evidence that similar operations proactively targeting sex buyers have ever been conducted in Bangor or nearby communities.*[2]
- **Sex buyers in Bangor have evidently been able to operate with impunity**, with laws against purchasing sex virtually unenforced. It is reasonable to assume that the sex buyer community in the Bangor area feels safe to transact commercial sex locally without fear of arrest or sanctions. Conversely, *sex buyers in the Portland area are more likely to believe that there is a risk of arrest* and, if that occurred, their identities would be widely circulated. Research clearly shows that the risk of arrest and – more importantly – the risk of others finding out are deterrents to purchasing sex.
- While our findings are consistent with the law’s success, one cannot state with certainty that the deterrent effect of arresting sex buyers is the reason for our less online activity in Portland than in Bangor. Other factors besides implementation of demand reduction tactics can cause variation, such as differences in the local use of web platforms used to post prostitution ads for our study, which might explain some or all of the cross-city differences in sex buyers identified.

In addition to the evidence from Bangor and Portland that targeting consumer demand for prostitution works to reduce it, *there is a wide array of social science evidence from elsewhere about the effectiveness of demand reduction tactics than there is for any other approach to combating commercial sexual exploitation, with a variety of demand reduction approaches producing 40% to 80% reductions in various measures of offending.* For example:

Results from formal evaluations:

- **In San Francisco, arresting and educating sex buyers reduced recidivism by over 40%.** In an NIJ-sponsored evaluation of the FOPP, it was found that the annual one-year recidivism rate for arrested sex buyers fell from 8.8 percent to 4.5 percent after the program began operating (Shively et al., 2008). The shift was immediate and was sustained for the subsequent decade. The impact could not be attributed to the effect of arrest, since all those in the “treatment” and statewide “comparison” groups were arrested. The impact could not be attributed to displacement to other cities, since the data allowed the research team to detect subsequent arrests anywhere in the state. The impact was also not attributable to a larger trend, since no substantial trend was observed in the statewide rearrest data. Finally, the impact is unlikely to be attributable to sex buyers moving their activities online. While it is true that commercial sex solicitation has been shifting from the streets to online venues, the shift to online solicitation has been gradual rather than abruptly occurring in one year, and has been widespread rather than occurring only in San Francisco in 1995.
- **A comprehensive approach including reverse stings reduced prostitution by 75% in controlled experiment in Jersey City, NJ:** In a rigorous field study, Weisburd and colleagues (2006) found a 75% reduction in observed and reported prostitution from a comprehensive approach that included combating demand through reverse stings. The evaluation design tested for displacement effects, and the researchers concluded that the reductions were not attributable to simply pushing the problem to other areas of the city.

- ***Comprehensive efforts including sex buyer arrests and education reduced prostitution in Ipswich, England by 40% to 80%.*** A study by Poland and colleagues (2008) concluded that a large reduction in street prostitution in Ipswich, England resulted from an intensive and multifaceted intervention. The program featured enforcement and education aimed at demand (arresting “kerb crawlers” and having them attend the “Change Course,” or john school), and a social service/therapeutic (rather than punitive) approach for providers of commercial sex. The study found 40% to 80% reductions in calls for police service and the number of persons involved in prostitution (Kendall, 2008; Poland et al., 2008).
- ***Enactment of Swedish law that focused on demand reduction reduced street prostitution by 50% to 75%.*** In 1999 Sweden passed national legislation decriminalizing the sale of sex while simultaneously criminalizing the purchase of sex. The innovation of the “Swedish Model” law was in place in the entire legal burden for prostitution on the buyer rather than the provider. An evaluation of the impact of the law found a 50% to 70% reduction in street prostitution through focusing on demand (Swedish Government Report SOU 2010:49, 2010).

Police Research and Case Studies:

- ***In St. Petersburg, FL, a comprehensive approach emphasizing arresting and disclosing the identities of arrested sex buyers was associated with a 24% reduction in calls for police service.*** Concluding that arresting women involved in prostitution was ineffective in reducing the illicit business and the crime and disorder surrounding it, the city focused on a multifaceted effort that featured tactics aimed at demand. Reverse stings were conducted in 1993, and a letter that included information about sexually transmitted diseases was sent to the home address of all arrested sex buyers. Prostitution-related calls for service from police decreased 24 percent between 1993 and 1994 (Minor, 1997).
- ***In Raleigh, NC, a comprehensive approach emphasizing arresting and publicly identifying sex buyers was associated with a 38% reduction in calls for police service.*** In response to persistent prostitution-related problems in the city, a study of prostitution was conducted, which concluded that police and other agencies city should prioritize arresting customers and addressing the service needs of providers (Weisel, 2004). An initiative - Operation Dragnet - featuring those elements was launched. Among other outcomes, over 85% of the citizens surveyed were aware of the anti-prostitution effort, and citizen-initiated calls for service initially increased due to increased awareness, and then declined steadily by 38% compared to the pre-intervention baseline.
- ***Reduced street prostitution in Salt Lake City, UT in 1971 and 1976 was attributed by police to reverse stings.*** A three-month effort in 1971 to combat prostitution through concentrating on male buyers led police to conclude that nearly all of the 75 known street prostitutes appeared to have left town.¹ In the crackdown on demand, 139 men were arrested during reverse stings. Subsequent reports stated that through 1976 the reverse sting program had arrested 1,129 male sex buyers, and that prostitution in the city had declined by approximately 50% soon afterward.²
- ***In Buffalo, NY, a 60% drop in 911 calls for service was associated with a comprehensive approach emphasizing arresting and educating sex buyers.*** From 1996 to 1997, the city increased sex buyer arrests 85 percent. Arrested men were sent to a john school program modeled

¹ The Deseret News, Page B-1, September 20, 1971.

² Miami News, June 17, 1976.

after the one in San Francisco. Arrested women involved in prostitution were referred to an organization for support and treatment. To assess the impact of the initiative, 911 calls and arrest data were analyzed, and interviews were conducted with community members. They found that 911 calls fell 60% from 1996 to 1997, police observed fewer women engaging in street prostitution, and community members interviewed reported less prostitution activity.

- ***Reverse stings and public disclosure of sex buyer identities reportedly removed Wilkes-Barre, PA from a domestic sex trafficking circuit, and reduced the number of women engaged in street prostitution locally by 75%.*** In interviews conducted for the 2012 National Assessment, police department staff said that Wilkes-Barre had been a stop on a domestic sex trafficking circuit operating in upstate New York and central Pennsylvania. Through the mid-1980s, traditional interventions had been tried and found ineffective: arresting prostituted women accomplished little (trafficked women soon left for the next stop on the circuit, and local women simply returned to the streets), and prosecution of pimps had been attempted, but never successfully. In 1986, Wilkes-Barre police tried a new approach, conducting large-scale reverse stings coupled with publicizing the identities of arrestees. In each of the first several operations, they arrested from 50 to 100 men who were issued citations and ordered to pay fines. Arrestee identities were included in press releases which ran in the local Sunday newspaper. After two years of these efforts, police concluded that Wilkes-Barre had been taken off the “pimp circuit.” The number of women known to engage in street prostitution fell from 20 to five, with the rotating circuit survivors gone and the remaining five being local women suffering from severe substance addictions. The existence of the domestic trafficking circuit and the level of police reverse sting activity in the 1980s and 1990s were corroborated by news archives and interviews with police from other cities on the circuit. However, the stated impact on the number of street-level survivors could not be confirmed due to a lack of data from the time period (e.g., arrest data were not kept by the police department beyond seven years).

The need to oppose the commercial sex market – through measures such as implementing LD 2168 – by targeting consumer demand is clear from a fair assessment of the empirical record on the inherent harms of the sex trade. For example:

The majority of those sold in the sex trade either started as minors, or coerced or forced as adults – making the majority, by legal definition, human trafficking victims. In prostitution, human trafficking is not the rare exception, but is instead the norm, and the levels of harm are astronomical (more detail is provided below). For example, the average starting point of a “career” in commercial sex is as a minor, most of the rest are trafficked as adultsⁱ, prostituted women have a life expectancy of 32 years of age, the leading cause of death is homicide, approximately 90% of prostituted persons experience other forms of violence, and rates of PTSD, suicidal ideation, and other forms of distress are astronomical:

- **Most of the abuse of prostituted persons is committed by sex buyers and pimps**, and there is no evidence that buyers and traffickers predisposed to abuse when police are watching would suddenly change their behavior for the better when police are pulled away. It is possible that prostituted and sex trafficked persons might be more likely to report abuses to police under full decriminalization, but those gains can also be accomplished by Abolition/Nordic model partial decriminalization (removing penalties for prostituted persons).

- ***Few things have a more profound negative impact on physical and mental health than having people purchase sexual access to one's body.*** Hundreds of peer reviewed studies conducted throughout the world consistently find extreme levels of harm to prostituted persons,ⁱⁱ regardless of the legal status of prostitution where it occurs, whether in indoor or outdoor venues, or any other categorizations of commercial sex markets and populations. Numerous studies find that prostituted women who engage in sex work are at increased risk for depression, suicide, homicide, sexual assault, battery, substance abuse and other harms.ⁱⁱⁱ For example,
 - A U.S. study found that *prostituted persons have mortality rates almost 200 times greater than those found among other women with similar demographic profiles.* The three most common causes of death were, in order: *homicide, suicide, and health consequences drug and alcohol abuse.*^{iv}
 - A review of the literature and analysis of nine different data sets concluded that *prostituted women “...have the highest homicide victimization rate of any set of women ever studied.”*^v
 - A survey conducted in London found that *57% of escorts and prostituted women had been assaulted in indoor venues.*^{vi}
 - Interviews with sexually exploited women in New York city found that *48% said they had been sexually assaulted in indoor prostitution or while working as “escorts.”*^{vii}
 - Another set of interviews in New York City found that *“escorts” who work indoors “... are beaten twice a year, on average.”*^{viii}
 - A study of nearly 700 prostituted persons in Canada found *49% had been diagnosed with a mental health issue, with the most common diagnoses being depression (35%).*^{ix}

ⁱ Goldenberg, S.M., Engstrom, D., Rolon, M.L., Silverman, J.G., Strathdee, S.A. (2013). Sex Workers Perspectives on Strategies to Reduce Sexual Exploitation and HIV Risk: A Qualitative Study in Tijuana, Mexico. PLoS ONE 8(8): e72982. doi:10.1371/journal.pone.0072982

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