



# Cumberland County District Attorney's Office

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May 11, 2021

The Honorable Susan Deschambault, Senate Chair  
The Honorable Charlotte Warren, House Chair  
Joint Standing Committee on Criminal Justice and Public Safety  
State House, Room 436  
Augusta, Maine 04333

**Re: L.D. 1592, *An Act To Decriminalize Engaging in Prostitution, Strengthen the Laws against Commercial Sexual Exploitation and Allow a Person Convicted of Engaging in Prostitution To Petition the Court To Expunge the Record of Conviction***

Senator Deschambault and Representative Warren,

I am writing in support of parts and opposition of a part of L.D. 1592, *An Act To Decriminalize Engaging in Prostitution, Strengthen the Laws against Commercial Sexual Exploitation and Allow a Person Convicted of Engaging in Prostitution To Petition the Court To Expunge the Record of Conviction*. I regret that I do not think I will be available to testify due to attending a training on May 12, 2021.

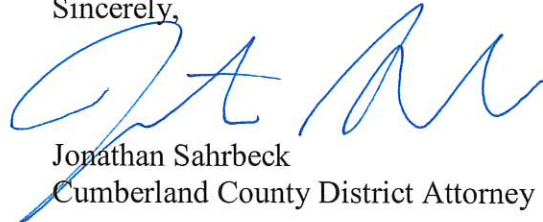
I am in support of many provisions of LD 1592, including Sections A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-11, A-12, A-13, A-14, A-15, B-1, C-1 and C-2. Specifically, I find it in the interests of public safety to change “Solicitation of a child to engage in prostitution” from a misdemeanor to a felony (A-5). On a similar note, I also support making “Engaging a prostitute,” which prohibits purchasing commercial sex, a class D misdemeanor as opposed to a class E misdemeanor (A-6) and subsequent guilty findings a felony (A-7). Lastly, I support amending the language of “Patronizing prostitution of a minor” under 17-A MRS §855 (A-11) to allow law enforcement investigations and operations to not include an actual minor in order to proceed with prosecution. All of these things increase the ability of law enforcement to help victims of human trafficking.

The section of LD 1592 that I am opposed is repealing 17-A MRS §853-A “Engaging in prostitution” (A-9). I could explain in detail my opposition for not supporting this provision including my belief that legalization does not decrease but rather increases commercial sexual exploitation, the market for engaging a prostitute (buying commercial sex), and sex trafficking, but nothing I say is based on my personal experience of being the victim of sexploitation. It is based solely from working to fight this horrible crime alongside survivors. As a prosecutor who has handled numerous prosecutions and investigations involving human trafficking over the years, I have had extensive

contact with victims and survivors of sex trafficking. In addition, I have worked on educating the public with numerous groups, many of which have been founded or include survivor members, including Survivors Speak USA, Stop Trafficking US, Courage Lives, The Salvation Army, Sophia's House, Not Here, and Just Love Worldwide. From my discussions with numerous survivors of sexploitation, the vast majority of the survivor community **does not support** the provision of LD 1592 that would repeal 17-A MRS § 853-A "Engaging in Prostitution." In my opinion, these voices need to be heard regarding this issue. These women know "The Life" and they do not make this recommendation easily. They do not support this provision of the legislation based on their lived experience. I urge you to hear them. Another bill, LD 1455 *An Act To Support Survivors of Sex Trafficking and Exploitation, specifically adds a defense to "Engaging in Prostitution"* that recognizes the trauma and exploitation that many victims have gone through while being trafficked by adding a defense to prosecution, is a better way to address this issue as opposed to repealing the statute in its entirety.

Thank you for your time and consideration on this matter. I would be happy to answer any questions or be part of the work session if invited.

Sincerely,



Jonathan Sahrbeck  
Cumberland County District Attorney