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MAINE

2023 Report Card

TIER III

GRADES ARE BASED SOLELY ON AN ANALYSIS OF STATE STATUTES. While we recognize the critical importance of non-legislative responses to propel progress, grading on statutory law provides a clear mechanism for evaluating policy goals across all states while ensuring that survivor-centered reforms are an enduring part of states' responses.

STATE HIGHLIGHTS:

- Between 2021-2023, raised score by 12 points.
- Tied for 8th most improved in 2023 (raised score by 11.5 points this year alone).
- Requires convicted offenders of child sex or labor trafficking or CSEC offenses to pay restitution to victims.
- Allows child and youth victims of sex or labor trafficking to seek accountability for their offenders through civil processes.
- Commercially sexually exploited children can be identified as child sex trafficking victims regardless of whether they have or identify a trafficker.

SAFE HARBOR STATUS:

Passage of LD 1435 strengthened existing Safe Harbor protections, becoming the first state in the country to extend non-criminalization protections to older youth and adults. By repealing the state prostitution law, LD 1435 reclassified the purchase of sex as "commercial sexual exploitation" and protects those engaged in the "sale" of sex from the traumatizing and legal consequences associated with arrest, detention, and prosecution.

Issue		Grade	Score	Summary
	1. Criminal Provisions	C	$\frac{12.5}{17.5}$	Policy goals accomplished related to buyer and trafficker accountability under state CSEC laws, decoy defenses, business entity liability under the trafficking law, and financial penalties. Gaps remain related to buyer accountability under the trafficking law and mistake of age defenses.
	2. Identification of and Response to Victims	F	$\frac{7.5}{27.5}$	Policy goal accomplished related to child abuse definitions. Gaps remain related to third party control, foreign national victims, screening through child welfare and the juvenile justice system, non-criminalization for prostitution offenses, expanded non-criminalization, juvenile court jurisdiction, and non-caregiver trafficking cases.
	3. Continuum of Care	F	$\frac{4}{15}$	Gaps remain in all areas, including community-based services, MDT responses, services through child welfare and the juvenile justice system, extended foster care services, and appropriations.
	4. Access to Justice for Trafficking Survivors	D	$\frac{9.5}{15}$	Policy goals accomplished related to civil orders of protection, restitution, and civil remedies. Gaps remain related to crime victims' compensation, vacatur, and statutes of limitation.
	5. Tools for a Victim-Centered Criminal Justice Response	F	$\frac{4}{10}$	Gaps remain in all areas, including hearsay exceptions, alternatives to live, in-court testimony, victim-witness supports, and privileged communications.
	6. Prevention and Training	F	$\frac{0}{15}$	Gaps remain in all areas, including training for child welfare, juvenile justice agencies, law enforcement, prosecutors, and school personnel as well as prevention education in schools.
EXTRA CREDIT	Youth		1	Protection related to civil remedies is extended to sex trafficked youth.
	Child Labor Trafficking		3	Protections related to financial penalties, restitution, and civil remedies are extended to child labor trafficking victims.

OVERALL GRADE
TIER III

F 41.5