

**§852. Aggravated sex trafficking**

1. A person is guilty of aggravated sex trafficking if the person knowingly:

- A. Promotes prostitution by compelling a person to enter into, engage in or remain in prostitution; [PL 2013, c. 407, §2 (AMD).]
- B. Promotes prostitution of a person 15, 16 or 17 years of age; or [PL 2021, c. 469, §1 (AMD).]
- C. Promotes prostitution of a person who suffers from a mental disability that is reasonably apparent or known to the actor and that in fact renders the other person substantially incapable of appraising the nature of the conduct involved. [PL 2013, c. 407, §2 (NEW).]

Violation of this subsection is a Class B crime.

[PL 2021, c. 469, §1 (AMD).]

**1-A.** A person is guilty of aggravated sex trafficking if the person knowingly promotes prostitution of a person 14 years of age or younger. Violation of this subsection is a Class A crime.

[PL 2021, c. 469, §2 (NEW).]

2. As used in this section, "compelling" includes but is not limited to:

- A. The use of a drug or intoxicating substance to render a person incapable of controlling that person's conduct or appreciating its nature; [PL 2011, c. 672, §1 (AMD).]
- B. Withholding or threatening to withhold a scheduled drug or alcohol from a drug or alcohol-dependent person. A "drug or alcohol-dependent person" is one who is using scheduled drugs or alcohol and who is in a state of psychic or physical dependence or both, arising from the use of the drug or alcohol on a continuing basis; [PL 2013, c. 407, §2 (AMD).]
- C. Making material false statements, misstatements or omissions; [PL 2011, c. 672, §1 (NEW).]
- D. Withholding, destroying or confiscating an actual or purported passport or other immigration document or other actual or purported government identification document with the intent to impair a person's freedom of movement; [PL 2011, c. 672, §1 (NEW).]
- E. Requiring prostitution to be performed to retire, repay or service an actual or purported debt; and [PL 2011, c. 672, §1 (NEW).]
- F. Using force or engaging in any scheme, plan or pattern to instill in a person a fear that, if the person does not engage or continue to engage in prostitution, the actor or another person will:
  - (1) Cause physical injury or death to a person;
  - (2) Cause damage to property, other than property of the actor;
  - (3) Engage in other conduct constituting a Class A, B or C crime or criminal restraint;
  - (4) Accuse some person of a crime or cause criminal charges or deportation proceedings to be instituted against some person;
  - (5) Expose a secret or publicize an asserted fact, regardless of veracity, tending to subject some person, except the actor, to hatred, contempt or ridicule;
  - (6) Testify or provide information or withhold testimony or information regarding another person's legal claim or defense;
  - (7) Use a position as a public servant to perform some act related to that person's official duties or fail or refuse to perform an official duty in a manner that adversely affects some other person;
 or

(8) Perform any other act that would not in itself materially benefit the actor but that is calculated to harm the person being compelled with respect to that person's health, safety or immigration status. [PL 2013, c. 407, §2 (AMD).]

[PL 2013, c. 407, §2 (AMD).]

3.

[PL 2021, c. 469, §3 (RP).]

#### SECTION HISTORY

PL 1975, c. 499, §1 (NEW). PL 1989, c. 431, §1 (AMD). PL 2011, c. 672, §1 (AMD). PL 2013, c. 407, §2 (AMD). PL 2021, c. 469, §§1-3 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 130th Maine Legislature and is current through October 31, 2021. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.