



128th MAINE LEGISLATURE

SECOND REGULAR SESSION-2018

Legislative Document

No. 1740

S.P. 639

In Senate, December 22, 2017

An Act To Establish the Crimes of Criminal Forced Labor and Aggravated Criminal Forced Labor in the Maine Criminal Code

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 19, 2017. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator VOLK of Cumberland.
Cosponsored by Speaker GIDEON of Freeport and
Representative: HERBIG of Belfast.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 17-A MRSA §§304 and 305** are enacted to read:

3 **§304. Criminal forced labor**

4 1. A person is guilty of criminal forced labor if the actor, without the legal right to do
5 so, intentionally or knowingly:

6 A. Withholds or threatens to withhold a scheduled drug or alcohol from a person
7 who is in a state of psychic or physical dependence, or both, arising from the use of
8 the drug or alcohol on a continuing basis in order to compel that person to provide
9 labor or services having economic value;

10 B. Withholds or threatens to withhold a substance or medication from a person who
11 has a prescription or medical need for the substance or medication in order to compel
12 that person to provide labor or services having economic value;

13 C. Uses a person's physical or mental impairment that has substantial adverse effects
14 on that person's cognitive or volitional functions as a means to compel that person to
15 provide labor or services having economic value;

16 D. Makes material false statements, misstatements or omissions in order to compel a
17 person to provide labor or services having economic value;

18 E. Withholds, destroys or confiscates an actual or purported passport or other
19 immigration document or other actual or purported government identification
20 document in order to compel a person to provide labor or services having economic
21 value;

22 F. Compels a person to provide labor or services having economic value to retire,
23 repay or service an actual or purported debt if:

24 (1) The reasonable value of the labor or services is not applied toward the
25 liquidation of the debt; or

26 (2) The length of labor or services is not limited and the nature of the labor or
27 services is not defined; or

28 G. Uses force or engages in any scheme, plan or pattern to instill in a person a fear
29 that, if that person does not provide labor or services having economic value, the
30 actor or another person will:

31 (1) Cause physical injury to or death of a person;

32 (2) Cause destruction of or consequential damage to property, other than
33 property of the actor;

34 (3) Engage in other conduct constituting a Class A, B or C crime or criminal
35 restraint;

36 (4) Accuse a person of a crime or cause criminal charges or deportation
37 proceedings to be instituted against a person;

