

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1740

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S.P. 639

In Senate, December 22, 2017

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

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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;

