



Permanent Commission RACIAL, INDIGENOUS & TRIBAL POPULATIONS

LD 1971, “An Act to Protect Workers in This State by Clarifying the Relationship of State and Local Law Enforcement Agencies with Federal Immigration Authorities”

May 19, 2025

Senator Carney, Representative Kuhn, and distinguished members of the Judiciary Committee,

My name is Rae Sage, and I serve as the Policy Coordinator for the Permanent Commission on the Status of Racial, Indigenous, and Tribal Populations. I am here today to offer our Policy Committee’s support for LD 1971, a bill that would, among other things, prohibit state employees from collecting data on immigration status, unless required by law or for service provision. I am also providing testimony on LD 1259, and while many of the points in that testimony apply to this bill, I am focusing this additional testimony on provisions in LD 1971 that are directly related to a recent report released by the Permanent Commission.

This spring, the Permanent Commission published a report on Data Justice¹ which I am including with this testimony. The report includes a description of the ways that collection and use of demographic data by the state can pose potential risks to those living in marginalized communities. In Maine and across the US, people of color who are often underrepresented in databases that support the development of community programs may be overrepresented in databases that monitor and surveil public behavior and community characteristics. The report describes how:

Facial recognition software, video monitoring of public spaces, forced engagement with online platforms and apps to access government services, mandatory data collection for healthcare access, the use of AI software in decision-making and management, and other forms of state activity intended to monitor and track individual citizens show how the state engages with data about its citizens at every level of operation.

¹ Permanent Commission on the Status of Racial, Indigenous, and Tribal Populations. 2025. *Data Justice*. https://pcritp.me/sites/pcritp.me/files/inline-files/Data_Justice.pdf.

Because of the growing role that data plays in state government, and the potential for that data to be shared across agencies without the consent of those from whom it is collected, we suggest in the report that agencies restrict data collection efforts to only that information directly needed for service provision. Our recommendation in this report is directly aligned with the language of LD 1971, which prohibits state employees from inquiring about a person's immigration status except in cases required by law. This provision of the bill helps to protect the privacy of all Mainers by limiting the information the state retains about its residents. It also supports impacted communities directly. When people don't feel safe engaging with state services because of fear that information about them or their families may be shared, it prevents them from doctors appointments, school functions, and community gatherings. This lack of participation makes it harder for public servants to do their jobs effectively and for communities to thrive.²

LD 1971 creates important boundaries around data collection by state employees that protects vulnerable members of our communities and respects the right of all Mainers to a reasonable degree of privacy. That privacy allows all of us to move through our lives and our communities with the confidence that we are safe and that our state government is not putting us at risk..

Thank you for your time and consideration.

² Becerra, D., Wagaman, M. A., Androff, D., Messing, J., & Castillo, J. (2016). Policing immigrants: Fear of deportations and perceptions of law enforcement and criminal justice. *Journal of Social Work*, 17(6), 715-731. <https://doi.org/10.1177/1468017316651995>.