

TESTIMONY IN FAVOR OF LD 2106

AN ACT TO PROHIBIT THE DISCLOSURE OF NONPUBLIC RECORDS FOR JUDICIAL REVIEW

**132nd Maine Legislature, Second Regular Session
Public Hearing—Judiciary Committee
January 28, 2026**

My name is Teddy Simpson. I am an attorney and a resident of Portland. I offer this testimony in favor of LD 2106 in my personal capacity.

Like many others, I have been horrified to watch federal enforcement officials disregard the rule of law, our civil rights, and basic human decency in Maine, in Minnesota, and across the country. It is unsafe and unlawful.

I am in favor of LD 2106's passage for two primary reasons. First, it simply requires ICE to have a warrant, signed by a judge, in order to conduct enforcement in places that absolutely should have this minimum protection—schools, hospitals, healthcare facilities, daycares, libraries. This reaffirms longstanding federal policy and is not a big change. Before last year, DHS treated schools, hospitals, and places of worship as “protected areas,” and advised against conducting enforcement actions in those areas, recognizing that doing so could prevent people from accessing essential services. That policy is out the window. This bill reinforces the importance of those spaces. Second, this bill undercuts ICE's recently-reported, unconstitutional policy that an administrative warrant is sufficient to enter nonpublic areas. It is not. A judicial warrant is necessary under federal law. Citizens and noncitizens alike are protected by the Fourth Amendment, which guarantees “[t]he right of the people to be secure in their . . . houses” and prohibits—except in the case of an emergency—entry without a “Warrant[.].” Courts have made clear that such a warrant must be signed by a judge to be valid. This bill reinforces that precedent and makes it so as a matter of state law.

For these reasons, I urge you to vote ought-to-pass. Thank you.