



Testimony In Support

LD 2106, An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review

January 31, 2026

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

My name is Laura Cordes, and I serve as Executive Director of the Maine Association for Community Service Providers (MACSP). MACSP represents nearly 100 community-based agencies that deliver person-centered educational, vocational, residential, and community-based supports, as well as specialized care, to more than 5,500 adults with intellectual disabilities, autism, and brain injuries across Maine. These essential services are delivered by approximately 9,000 direct support professionals and other frontline workers and are foundational to helping people live safely and meaningfully in their communities.

MACSP strongly supports LD 2106.

I want to begin by thanking Representative Sato and the bill's cosponsors for responding thoughtfully to the growing fear and uncertainty affecting Maine communities. The recent increase in immigration enforcement activity in this state and elsewhere in the country - particularly activity occurring without clear judicial oversight - has had destabilizing effects on individuals, families, and the essential systems they rely upon every day.

Within the disability services sector, these impacts are immediate and profound. Many skilled and compassionate New Mainers are part of the direct support professional workforce that children, adults, and families depend on every day to meet essential needs and remain safely in their homes and communities. The relationships between direct support professionals and the people they support are built on trust, consistency, and care. When that workforce is disrupted, continuity of care is compromised, placing individuals' health and safety at risk.

We are hearing with increasing frequency from providers this week who are struggling to maintain adequate staffing because workers are afraid to leave their homes to go to work. We have also heard testimony in this Legislature from a direct support professional—a New Mainer with legal status and no criminal record—who described being detained by ICE for several weeks. He spoke not only to his own fear and trauma, but to the deep concern he felt for the people with disabilities who relied on him for daily support and stability.

LD 2106 does not interfere with lawful immigration enforcement. Rather, it restores clear and reasonable guardrails by prohibiting voluntary consent to enter nonpublic areas or access nonpublic records without proper judicial review. In doing so, the bill reinforces due process, respects Fourth Amendment protections, and provides much-needed clarity to institutions and workers navigating an increasingly uncertain environment.

For providers of disability services, these protections are not theoretical. Many of the supports we deliver occur in settings that function as both workplaces and private residences. Fear of warrantless entry or access to records has a chilling effect on workers and the people they support, undermining the stability of care.

MACSP respectfully encourages the Committee to consider a clarifying amendment to ensure that the protections in LD 2106 extend to Special Purpose Private Schools defined under Title 20-A and home and community-based service settings for adults with disabilities as defined under Title 22 and Title 34-B of the Maine Revised Statutes. These include services and residential settings within Maine's systems of care for persons with intellectual disabilities, autism, other related conditions, and brain injury—such as group homes, shared living arrangements, and other MaineCare-funded home and community-based services. Clarifying that voluntary consent to enter nonpublic areas or access nonpublic records in these settings is prohibited absent a valid judicial warrant or exigent circumstances would further the bill's intent, promote consistency across essential service systems, and protect continuity of care for vulnerable residents.

In closing, LD 2106 strikes the right balance. It upholds the rule of law, reinforces constitutional protections, and ensures that fear does not prevent Maine people from accessing education, health care, and the services they need to live safely in their communities. For individuals with disabilities and the workforce that supports them, these safeguards are essential to preserving stability, dignity, and continuity of care.

For these reasons, MACSP urges the Committee to vote Ought to Pass on LD 2106.

Thank you for your time and consideration.

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