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*Testimony of Representative Ellie Sato presenting
LD 2106, An Act to Prohibit the Disclosure of Nonpublic Records
Without Proper Judicial Review
Before the Joint Standing Committee on Judiciary*

Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on Judiciary, my name is Ellie Sato, and I represent House District 109, which includes part of Gorham. I'm proud to be here to present **LD 2106, An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review**.

This past week, we have begun to see how U.S. Immigration and Customs Enforcement (ICE) operates in full force in our state. The Department of Homeland Security has begun their “Operation Catch of the Day,” which has resulted in the unlawful detention of many of our community members — the vast majority of whom don’t have criminal records. In fact, according to data from the Transactional Records Access Clearinghouse out of Syracuse University, about 73% of those detained as of November 30, 2025 did not have a criminal record¹. Advocates have recommended that immigrants shelter in place. Many in our community aren’t going to work, not attending school, nor are they going to the doctor when they need medical care.

To be clear, the current ICE operation in Maine doesn’t just affect the immigrant community, it affects all Mainers of color, regardless of immigration status. We are all living in fear of being disappeared by ICE, including those who were born here, like myself. I now carry my passport on me at all times, something that never would have crossed my mind two years ago. It is truly devastating to see the terror and fear in our communities.

That’s why I’m presenting this bill that would further strengthen due process in our state. This bill would require those conducting immigration enforcement to provide valid judicial warrants in order to enter non-public areas of sensitive locations, which includes public schools, health

¹ <https://tracreports.org/immigration/quickfacts/>

facilities, daycares, and public libraries, to either detain individuals or retrieve non-public records, preventing voluntary consent for entry. This bill is narrowly tailored to solely impact federal immigration enforcement, and would not inhibit state, county, or local law enforcement from conducting their duties.

The purpose of this bill is to strengthen existing constitutional protections, under the Fourth Amendment. Immigration and Customs Enforcement previously operated under the “sensitive locations” policy which prohibited civil immigration enforcement in sensitive locations unless under exigent circumstances². This legislation is a state version of that policy, which was in effect from October 2011 to January 2025, under various federal administrations. This legislation only restricts voluntary consent for entry in the absence of a valid judicial warrant signed by a judge, a right that we can all exercise under the Fourth Amendment to the Maine and U.S. Constitutions.

By strengthening due process, we would be improving public trust. MaineHealth has reported that they have seen an increase in “call-outs” with the increased presence of ICE in our state, leading to understaffing³. Community organizations are reporting that people aren’t seeking medical care when they need it for fear of being detained. In a time when access to medical care in Maine is already decreasing, the terrifying tactics of immigration enforcement that we are seeing on the ground are only exacerbating this public health issue. This legislation would help both medical professionals and patients feel safer entering health facilities to work and seek care.

Public schools, daycares, and libraries are the primary locations where children stay when they are not at home, and children are some of the most vulnerable in our state. Many students are already staying home from school for fear of being detained by ICE. Schools across our state are seeing increases in absenteeism as a result of the ongoing immigration enforcement. Last Friday, over 1,100 students were absent from the Portland school district, including nearly half of the multilingual population of the student body⁴. This legislation would provide another layer of protection for students from the violence that we have seen occur when ICE conducts detention.

After recent conversations with stakeholders, I would suggest that the committee further look at our ability as the state to direct private entities to comply with this proposed legislation during the work session. I will continue to work with stakeholders and advocates to ensure that the final language can be implemented and will, in fact, help our communities.

² <https://www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf>

³ <https://www.wmtw.com/article/mainehospital-seeing-higher-than-usual-call-outs-amid-increased-ice-operations/70099951>

⁴ <https://www.centralmaine.com/2026/01/27/we-will-need-to-continue-to-rely-on-each-other-maine-schools-react-to-increased-ice-enforcement-2/>

The heart of this legislation is the intent to reduce violence in these community hubs and public facilities where the most vulnerable in our state seek services. The tactics that we have seen ICE use to detain and incarcerate individuals cause extensive harm and terror in our communities. Nine people have already died in this country this year alone as a result of ICE⁵. This bill is aimed at preventing this violence from occurring in our schools, hospitals, libraries, and daycares, because such violence causes permanent and lasting harm on children who have to witness it or experience it. We have an opportunity to help our neighbors, friends, and family be safer and live their lives freely without terror. So I urge you to vote “Ought to Pass” on this legislation.

Thank you for your consideration. I would be happy to answer any questions.

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<https://www.aljazeera.com/news/2026/1/27/us-witnessed-many-ice-related-deaths-in-2026-here-are-their-stories>