



Matthea Elisabeth Larsen Daughtry  
President of the Senate

THE MAINE SENATE  
132nd Legislature

3 State House Station  
Augusta, Maine 04333

**Testimony of Senate President Mattie Daughtry in support of  
LD 2106, "An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial  
Review"**  
**Before the Joint Standing Committee on Judiciary**  
**January 29, 2026**

Good afternoon, Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on Judiciary, my name is Mattie Daughtry. I serve as President of the Maine Senate and proudly represent Senate District 23, including Brunswick, Freeport, Harpswell, Pownal, Chebeague Island, and part of Yarmouth. I am honored to be a cosponsor of this bill. I am here today to speak firmly in strong support of LD 2106, "An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review."

I want to thank Representative Sato and the advocates who have brought urgency, clarity, and resolve to this legislation. This bill is necessary, it is timely, and it addresses a real and escalating threat to the safety and stability of Maine communities.

Schools, hospitals, child care centers, and public libraries are foundational institutions in communities across Maine. They are pillars of civil society —places where children learn, where people receive life saving care, why families are able to work, and where knowledge and opportunity are shared freely. When fear enters these spaces, the damage is profound, and it spreads quickly. Fear is not a neutral condition—it weakens institutions and disrupts access to critical services.

When people cannot trust schools, hospitals, child care providers, and libraries to operate under clear and consistent rules, the foundation of community life begins to crack, with the consequences having a ripple effect.

Today, many immigrant families in Maine are living under the constant weight of impossible choices. Parents are asking themselves whether sending a child to school could risk family separation. People experiencing serious or even life-threatening medical symptoms are delaying or avoiding care. Parents are questioning whether it is safe to drop their child off at daycare and whether they will be there to pick them up at the end of the day. These are not hypothetical fears; they are daily calculations being made in households across our state. Many New Mainers feel like they are left with no option but to stay home to protect themselves and their families. No family should have to choose between safety and survival.

The result is a chilling effect that is already visible and already harming Maine. As reported by WGME, attendance rates in Portland Public Schools have dropped from roughly 89 percent to approximately 84 percent as of January 22<sup>i</sup>. That decline is not just a statistic, it represents

children missing instruction, families withdrawing from public life, and fear dictating behavior in places that should be safe by definition.

This harm does not stop with immigrant families. When children do not attend school, when people avoid medical care, when parents cannot reliably access child care, and when residents retreat from public spaces like libraries, the entire state pays the price. Public health suffers. Workforce participation declines. Educational outcomes worsen. Economic stability erodes. Maine businesses and families are already grappling with rising costs and economic uncertainty—including the real and immediate impacts of new tariffs—Our economy and our humanity are intrinsically linked: when people are forced to live in fear, our economic stability weakens; when dignity is protected, we are stronger and more resilient.

ICE appears to be targeting the places people cannot opt out of—schools, health care, child care. This does not enforce the law; it weaponizes human need in an attempt to de-humanize. It exploits the most vulnerable moments of daily life to exert control. If we can do anything within our jurisdiction as the legislature to take steps to protect our neighbors in these spaces, we must.

Recent federal policy shifts have stripped away long-standing guardrails that provided clarity and predictability in sensitive community spaces, leaving Maine institutions to operate amid uncertainty and fear. For more than a decade—from 2011 through 2025—this guidance remained in place across both Republican and Democratic presidential administrations. In January 2025, the U.S. Department of Homeland Security strategically rescinded guidance that restricted immigration enforcement actions in so-called “sensitive locations,” including schools, hospitals, and places of worship. That guidance has been replaced with vague language instructing officers to use “a healthy dose of common sense,” rather than clear, enforceable protections that once recognized the unique harm caused by enforcement activity in these spaces.

Importantly, even under current law, immigration enforcement cannot lawfully enter nonpublic areas of schools, health care facilities, child care facilities, or public libraries without legal justification. The Fourth Amendment still requires a valid judicial warrant signed by a federal judge, exigent circumstances exist, or *unless staff at those institutions voluntarily consent*.

That consent provision is what allows fear to substitute for due process.

School administrators, health care workers, child care providers, and librarians are being placed in impossible positions — often in moments of stress, fear, and uncertainty — and effectively asked to make on-the-spot legal decisions with enormous consequences. That dynamic invites coercion, inconsistency, and error, and it undermines trust in the very institutions that people must be able to rely on without hesitation.

LD 2106 provides a clear and urgently needed solution. The bill would prohibit individuals acting on behalf of schools, health care facilities, child care facilities and providers, and public libraries from providing voluntary consent that permits immigration enforcement to enter nonpublic areas or access records. LD 2106 also supports these institutions by directing the Attorney General to develop clear, uniform guidance so that implementation is consistent, lawful, and straightforward across the state.

Maine’s workers would no longer be left to guess; they would be empowered to follow the law

with confidence. Maine's public institutions should never be battlegrounds for coercion.

By removing the voluntary consent pathway, LD 2106 replaces uncertainty and fear with a simple, understandable standard: entry into nonpublic areas or access to records requires judicial review. For immigrant families, that clarity matters. It means fewer split-second calculations, fewer rumors filling the gaps left by unclear policy, and a more straightforward way to assess risk when deciding whether to send a child to school, seek medical care, drop off a child at day care, or walk into a public library.

LD 2106 does not promise blanket safety in these locations, but it meaningfully reduces harm. It brings clarity where there is currently confusion for immigrant families, supports frontline workers, and safeguards the integrity of the community institutions we all rely on. Rooted in law and basic human dignity, LD 2106 is common-sense reform that Maine urgently needs, and I respectfully urge the Committee to support its passage.

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<sup>i</sup> <https://wgme.com/news/local/portland-public-schools-says-attendance-has-dropped-since-start-of-ice-operation-maine-immigration-customs-enforcement/>