

January 29, 2025

Re: Testimony for LD 2106 “An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review”

Chair Carney, Chair Kuhn, Distinguished Members of the Joint Standing Committee on Judiciary:

My name is Alan Cobo-Lewis. I live in Orono. I am testifying FOR LD 2106 but am requesting that the Committee consider an amendment.

The bill as written prohibits voluntary consent to access nonpublic spaces or nonpublic records, for the purpose of immigration enforcement, in several sensitive settings: public schools, state postsecondary educational institutions, health care facilities, child care facilities, family child care providers, or public libraries.

But is unclear whether **settings that support children and adults with disabilities** are also included. And it is unclear whether **foster care** is included.

Children and adults with disabilities who need support—including nonmedical support—at home and in the community, rely on a disproportionately immigrant workforce. Although the immigrants are typically in the country legally, have work authorization, and, moreover, have passed background checks that not all US citizens could pass, there have nevertheless been recent reports in Maine of immigrants with legal authorization to be in the country being detained by ICE. This reportedly includes at least one person in a direct care role for people with disabilities.<sup>1</sup>

ICE has been reported to, more than once, snatch people so quickly that they even leave cars unsecured on the street<sup>2</sup>, sometimes still running.<sup>3</sup>

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<sup>1</sup> Snider, A. (2026, January 22). Maine communities, businesses grapple with the fallout of ICE surge. *Maine Public*. <https://www.mainepublic.org/immigration/2026-01-22/maine-communities-businesses-grapple-with-the-fallout-of-ice-surge>

<sup>2</sup> Reed, R., McCusker, C. (2026, January 22). ‘Bush league policing’: Cumberland County sheriff calls out ICE for how it detained recruit. WMTW. <https://www.wmtw.com/article/cumberland-county-sheriff-maine-ice-operation/70095060>

<sup>3</sup> Lundy, R., & Keefe, J. (2026, January 22). ICE agents detail civil engineer in Portland, leave his car running in the street with smashed window. *Maine Monitor*. <https://themainemonitor.org/masked-agents-smash-window-detain-engineer-portland/>

# Systems and Settings Supporting Children and Adults with Disabilities

Sudden loss of support being provided by a direct care worker is a direct threat to the safety of children and adults with disabilities who need support. I therefore request that the bill be amended to include the systems and settings where that support is provided:

- Maine's system of care for persons with intellectual disabilities, autism or other related conditions as described in [34-B Maine Revised Statutes Chapter 5](#). This would include group homes, community support, shared living settings, and employment support typically provided through MaineCare Section 21 or 29 and anticipated to be provided as well through Maine DHHS's planned "lifespan waiver".
- Maine's comprehensive neurorehabilitation service system for survivors of brain injury as described in [22 Maine Revised Statutes Chapter 715-A](#) (Home and Community Based Services currently provided through MaineCare Section 18)
- Behavioral and developmental support to children provided and/or funded through MaineCare such as [Support for Children with Cognitive Impairments and Functional Limitations under MaineCare Section 28](#), [Behavioral Health Services under MaineCare Section 65](#) and [Intermediate Care Facilities for Individuals with Intellectual Disabilities \(ICF-IID\) under MaineCare Section 50](#).
- In-Home and Community Support Services for Adults with Long-Term Care Needs under [22 Maine Revised Statutes Subtitle 5](#).
- Other Home and Community Based Services (HCBS) like [MaineCare Section 20 \(HCBS for Adults with Other Related Conditions\)](#)

(Perhaps the ICF-IIDs are already covered by LD 2106, but it's unclear to me whether the other sensitive settings listed in this testimony are.)

## Foster Care

The bill should also be amended to protect children in foster care, as it has been reported that voluntary reporting of nonpublic information has resulted in ICE last year shackling a teenager who was in foster care in Florida.<sup>4</sup>

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<sup>4</sup> Miller, C. M., Ceballos, A., & Otiz Blanes, S. (2025, June 11). Florida child welfare agency calls ICE on teen migrant in foster care, sparking criticism. *Miami Herald*. <https://www.miamiherald.com/news/politics-government/state-politics/article308254995.html>