

Judiciary Committee

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

Testimony provided by Joshua Abram Kercsmar, Unity, Maine (Jan. 30, 2026)

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

My name is Joshua Kercsmar, and I am the Board Chair of the Ecology Learning Center, a public charter school located in Unity, Maine. I am writing to testify in strong support of LD 2106.

As a public school leader, my primary responsibility is to ensure that our school is a safe, stable, and welcoming place for students, families, and staff. That responsibility becomes impossible to fulfill when families are afraid to send their children to school, when students are afraid to walk through our doors, and when educators are placed in crisis situations without clear guidance from the state.

Schools exist to serve *all* children. For decades, administrations of both political parties recognized the basic public interest in keeping immigration enforcement out of sensitive locations like schools and hospitals. These policies were not about immigration politics; they were about public health, child welfare, and common sense. Their removal has created real harm in communities across Maine.

We have already seen the consequences. In September 2025, immigration officers arrested a parent in an elementary school driveway in Portland, just after dropping off their child. This arrest did not need to happen at a school, but its impact rippled far beyond that single family. It sent a message to children and parents across the state that school is no longer a safe place. That message is devastating.

As a school community, we know that fear keeps students out of classrooms. When students don't attend school, they lose not only education, but food security and stability. Chronic stress and fear harm children's mental health and learning. There are more than 21,000 U.S. citizen children in Maine who have at least one noncitizen parent. The effects of blind immigration enforcement fall directly on them.

LD 2106 offers a reasonable, lawful, and urgently needed response. The bill does not prevent immigration enforcement. Instead, it requires that ICE present a valid judicial warrant before entering public schools, healthcare facilities, daycares, or libraries, and it protects sensitive personal information unless disclosure is legally required. These are constitutional guardrails, not radical measures.

Just as importantly, LD 2106 provides clarity and protection for workers. Teachers, administrators, healthcare workers, daycare providers, and librarians should not be forced to make split-second legal decisions when immigration officers appear at their workplace. This bill makes clear that the state has made that decision for them, removing uncertainty and preventing harm.

From an educational perspective, this bill is essential. Schools cannot function if families are afraid to engage with them. Parents cannot work if they are afraid to send their children to school or daycare. Communities cannot thrive when fear drives people into the shadows.

I urge the Committee to vote Ought to Pass on LD 2106.

Thank you for your time and consideration.

Respectfully submitted,

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