

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 699
Judiciary

(Delegate Acevero, *et al.*)

Maryland Use of Force Statute - Failure to Prevent Excessive Force or Render
First Aid - Misdemeanor

This bill prohibits a police officer from intentionally violating the existing requirement that a police officer (1) intervene to prevent or terminate the use of force by another police officer beyond what is authorized under existing statute, as specified and (2) render basic first aid to a person injured as a result of police action and promptly request appropriate medical assistance. A police officer who violates the bill's prohibition is guilty of a misdemeanor and on conviction is subject to imprisonment for up to five years. A sentence imposed under the bill may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing a violation of the bill's prohibition.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: The bill is not anticipated to materially affect local government finances or operations.

Small Business Effect: None.

Analysis

Current Law: Chapter 60 of 2021, among other things, established the Maryland Use of Force Statute, which establishes requirements regarding a police officer's use of force; requires a police officer to sign an affirmative written sanctity of life pledge to respect every human life and act with compassion toward others; requires a law enforcement

agency to adopt specified policies; and requires a police officer to undergo specified training. The statute applies to police officers and special police officers.

A police officer may not use force against a person unless, under the totality of the circumstances, the force is necessary and proportional to prevent an imminent threat of physical injury to a person or effectuate a legitimate law enforcement objective. A police officer must cease the use of force as soon as (1) the person on whom the force is used is under the police officer's control or no longer poses an imminent threat of physical injury or death to the police officer or to another person or (2) the police officer determines that force will no longer accomplish a legitimate law enforcement objective. A police officer who intentionally violates the prohibitions on use of force that results in "serious physical injury" or death to a person is guilty of a misdemeanor, punishable by imprisonment for up to 10 years. A sentence imposed for a conviction may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing a violation.

Also, a police officer must (1) when time, circumstances, and safety allow, take steps to gain compliance and de-escalate conflict without using physical force; (2) intervene to prevent or terminate the use of force by another police officer beyond the authorized use of force described above; (3) render basic first aid to a person injured as a result of police action and promptly request appropriate medical assistance; and (4) fully document all use of force incidents that the officer observed or was involved in.

A police supervisor must respond to the scene of any incident during which a police officer used physical force and caused serious physical injury and gather and review all known video recordings of a use of force incident. A law enforcement agency must have a written de-escalation of force policy and adopt a written policy requiring supervisory and command-level review of all use of force incidents.

A police officer must (1) undergo training on when a police officer may or may not draw a firearm or point a firearm at a person and enforcement options that are less likely to cause death or serious physical injury, including scenario-based training, de-escalation tactics and techniques, and reasonable alternatives to decrease physical injury and (2) sign a training completion document stating that the officer understands and must comply with the Maryland Use of Force Statute.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Harford, Montgomery, and Talbot counties; City of Frostburg; Maryland Municipal League; Alcohol, Tobacco, and Cannabis Commission; Comptroller's Office; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Baltimore City Community College; University System of Maryland; Morgan State University; Department of General Services; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2026
jg/lgc

Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:
(410) 946-5510
(301) 970-5510