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PARLIAMENTARIAN

Ways and Means Committee



The Maryland House of Delegates  
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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 15, 2021

**House Bill 1049 Police Qualified Immunity and Accountability Act**

Dear Colleagues,

I am pleased to present **House Bill 1049 Police Qualified Immunity and Accountability Act**, which would establish that a law enforcement officer is not immune from civil or criminal liability for acts or omissions causing physical or mental injury that occur while the officer is on duty.

Qualified immunity allows law enforcement officers to violate civil rights without facing consequences and shields police officers from liability for misconduct. This legislation removes the ability of officers to claim immunity for their misconduct so they are personally liable; it adjusts and increases the cap on settlements and judgements for victims; allows jurisdictions to recoup tax-payer dollars from judgements that are paid out to the victims; and authorizes the forfeiture of pensions.

**I am also proposing an amendment to modify a term used in the bill and update the damages section to reflect our intent.**

HB 1049 will hold police officers accountable for excessive use of force and other misconduct by eliminating their special immunity from lawsuits. As an essential part of the overdue policing overhaul we are working on in Maryland, I urge the committee to give a **favorable** report for **House Bill 1049**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jheanelle Wilkins".

Delegate Jheanelle Wilkins