

**Testimony**  
**Civil Actions - Violation of Constitutional Rights (No Kings Act)**  
**Favorable Report**

Date: February 16, 2026

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To: Del. J. Sandy Bartlett, Chair, Del. Debra Davis, Vice-Chair and Members of the Judiciary Committee

Thank you for the opportunity to offer written testimony encouraging the members of the Committee to deliver a FAVORABLE REPORT for HB332, Civil Actions - Violation of Constitutional Rights (No Kings Act) which will allow residents of Maryland to sue an individual acting under color of law who deprives such residents of their constitutional rights.

As you are aware, U.S. Immigration and Customs Enforcement (ICE) agents currently enjoy qualified immunity, a judicial doctrine (not a statute) that protects them from lawsuits unless it can be proven that they have committed an egregious violation of constitutional rights. Recent efforts in Congress and several states seek to change this, including California and New York, and, of course, now Maryland.

We have seen in recent months in Los Angeles, Chicago, Minneapolis and here in Maryland in the case of Kilmar Abrego Garcia, clear violations of constitutional rights by the Department of Homeland Security's subordinate agencies – ICE and Customs and Border Protection. In February, the American Civil Liberties Union filed a complaint in *Tincher v. Noem* with the Minnesota Federal District Court identifying hundreds of rights violations. No one is above the law and every government official must be accountable to the people who pay their salaries.

Fifty-five years ago, I raised my right hand and pledged to support and defend the Constitution and to bear true faith and allegiance to the same. That oath is life-long, but some of these DHS agents seem to have forgotten that. Accountability is foundational to our democracy, ensuring that no one can violate a person's rights without consequence.

My Unitarian Universalist faith calls me to respect the inherent worth and dignity of every person and that includes ensuring that those who are sworn to uphold the Constitution will not violate the rights of any person.

Please vote IN FAVOR of HB332.

Thank you.

Sources:

ACLU, *Tincher v. Noem*, <https://www.aclu.org/press-releases/new-filings-detail-harrowing-accounts-of-ice-and-border-patrol-violence-and-intimidation-against-minnesotans>