

# **HB0699 – Law Enforcement Officers – Duty to Interv**

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR**  
**HB0699 – Law Enforcement Officers – Duty to Intervene and Render Aid**

**Bill Sponsor:** Delegate Acevero  
**Committee:** House Judiciary  
**Organization Submitting:** Maryland Legislative Coalition  
**Person Submitting:** Aileen Alex, Co-Chair  
**Position:** **FAVORABLE**

I am submitting this testimony in support of **HB0699** on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

HB0699 requires officers to intervene when they witness excessive force and to provide basic first aid when someone is injured during police action. If an officer intentionally ignores these duties, the bill establishes needed consequences. In plain terms, it ensures that officers prevent harm and provide care when someone is hurt.

This bill is urgently needed. The recent atrocities committed by ICE have shown how quickly abuse escalates when no one steps in. Maryland must make clear that preventing harm is a core responsibility of every officer.

I continue to exercise my First Amendment Rights in response to recent events. HB0699 not only protects me in these activities, it strengthens safety for all Marylanders in every interaction with law enforcement. Whether someone is speaking out, recording police activity, or simply going about their day, they deserve to know that officers are required to stop excessive force and render aid.

These basic safeguards build trust and reduce preventable injuries. This approach is consistent with the mission of the Maryland Legislative Coalition, which is rooted in transparency, accountability, and ensuring Marylanders can participate in their democracy and their lives without fear.

For these reasons, we respectfully urge a **FAVORABLE** report on **HB0699**.

# **Letter in support of HB699.pdf**

Uploaded by: Kimberly Rothwell

Position: FAV



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

HB699 Support

February 24<sup>th</sup>, 2024

The Honorable Sandy Bartlett  
Chair, Judiciary Committee  
101 Taylor House Office Building  
Annapolis, Maryland 21401

RE: Support of HB699 – Maryland Use of Force Statute - Failure to Prevent Excessive Force or Render First Aid - Misdemeanor

Dear Chairwoman Bartlett and Committee Members:

On behalf of the Baltimore City State's Attorney's Office, I'm here to testify in support of House Bill 699.

Maryland Public Safety Article § 3-524 was structured to affirmatively require certain actions by law enforcement officers when force is used. While subsections (d)(1) and (d)(2) appropriately limit when and how much force may be used and include criminal penalties for violations, subsection (e) which mandates de-escalation, intervention to prevent excessive force, the rendering of first aid, and full documentation does not carry a criminal penalty. As a result, these provisions, though mandatory in language, are currently unenforceable through prosecution.

HB699 addresses a separate but equally critical statutory gap by prohibiting an officer from intentionally failing to intervene to prevent or terminate excessive force and from intentionally failing to render appropriate first aid or request timely medical assistance for an injured person. The bill properly classifies such intentional violations as a misdemeanor, punishable by up to five years' imprisonment.

The need for this clarification is not theoretical. In *State v. Small*, the Baltimore City State's Attorney's Office prosecuted Officer Zachary Small of the Baltimore County Police Department under PS § 3-524 for excessive force. During that incident, three additional officers stood by and watched, two of whom passively aided in the use of force. While the assaultive behavior was occurring, none of the three officers attempted to intervene. When the assaultive behavior ended, only one officer attempted to render medical assistance, and that effort was untimely.

The State's Attorney's Office sought to charge all three officers for failing to intervene under subsection (e)(2) and/or for failing to render aid under subsection (e)(3). However, because no



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penalty is attached to subsection (e), we were unable to charge them with violating PS § 3-524. Although the statutory duties were clear, the absence of an enforcement mechanism prevented criminal accountability. HB699 would correct this deficiency.

Importantly, this legislation does not create new duties. Those obligations already exist in Maryland law. Rather, it ensures that all mandatory provisions of § 3-524 are enforceable and aligned with legislative intent. The bill is narrowly tailored to intentional misconduct, safeguarding officers who act in good faith while reinforcing professional standards and accountability.

Ensuring enforceability of the duty to intervene and render aid strengthens public trust, supports a culture of de-escalation within law enforcement agencies, and provides prosecutors with the tools necessary to uphold the full scope of Maryland law.

For these reasons, the Baltimore City State's Attorney's Office respectfully urges a favorable report on HB699.

Thank you for your consideration of this important legislation.

Respectfully submitted,

**Kimberly K. P. Rothwell, Esquire**

Kimberly K. P. Rothwell, Esquire She/Her  
Assistant State's Attorney for Baltimore City  
Public Trust & Police Integrity Unit, Team Captain  
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# **HB0699 - Maryland Use of Force Statute - Failure t**

Uploaded by: Maryland Legislative Latino Caucus

Position: FAV



## MARYLAND LEGISLATIVE LATINO CAUCUS

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JOE VOGEL, SECRETARY  
JASON A. AVILA GARCIA, EXECUTIVE DIRECTOR

TO: Delegate J. Sandy Bartlett, Chair  
Delegate Debra Davis, Vice Chair  
Judiciary Committee Members  
FROM: Maryland Legislative Latino Caucus  
DATE: 02/24/2026  
RE: HB0699 - Maryland Use of Force Statute - Failure to Prevent  
Excessive Force or Render First Aid - Misdemeanor

### **The MLLC supports HB0699 - Maryland Use of Force Statute - Failure to Prevent Excessive Force or Render First Aid - Misdemeanor**

The MLLC is a bipartisan group of Senators and Delegates committed to supporting legislation that improves the lives of Latinos throughout our state. The MLLC is a crucial voice in the development of public policy that uplifts the Latino community and benefits the state of Maryland. Thank you for allowing us the opportunity to express our support of HB0699.

Police excessive force is a matter of life or death for Latinos as they are the second most likely demographic to die in the presence of or be killed by law enforcement<sup>1</sup>. While only making up for about 18% of the U.S. population, Latinos made up for almost 20% of deaths resulting from the use of excessive force<sup>2</sup>. Although police excessive force against minority communities has been widely documented in the United States, it continues to occur leading to the death of Latinos in Maryland and around the country. In addition to fearing the results of a police encounter, the Latino community is already particularly sensitive to encounters with law enforcement due to language barriers, immigration status, and a general distrust for the system.

For the Latino community, who are disproportionately impacted by excessive use of force in encounters with law enforcement, this legislation would ensure officers act according to policies and prevent escalation of excessive force and/or render aid in case of excessive force. Ultimately, by reinforcing an officer's duty to intervene and lend aid to victims of use of excessive force, minority communities throughout the U.S. will be better protected.

For these reasons, the Maryland Legislative Latino Caucus respectfully requests a favorable report on HB0699.

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<sup>1</sup> [La Raza Database Research Project Final Report. Sep. 2023](#)

<sup>2</sup> Ibid.

# **Testimony in support of HB0699 - Maryland Use of F**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

**HB0699\_RichardKaplowitz\_FAV**

02/24/2026

Richard Keith Kaplowitz

Frederick, MD 21703

**TESTIMONY ON HB#/0699- POSITION: FAVORABLE**

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

**TO:** Chair Bartlett, Vice Chair Davis, and members of the Judiciary Committee

**FROM:** Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of HB#/0699, **Maryland Use of Force Statute - Failure to Prevent Excessive Force or Render First Aid - Misdemeanor**

Looking at the United States, the Canadian Broadcasting Corporation reported *Some U.S. police are failing to stop fellow officers from abusing suspects. Can that be changed?*<sup>1</sup>

When the images of the brutal attack on Rodney King by members of the LAPD were broadcast around the world back in 1991, they became a catalyst for police forces across the U.S. to adopt so-called "duty to intervene" strategies — protocols to ensure police would step in when a fellow officer misused force on a suspect.

While the idea behind "duty to intervene" is valid, a new approach is needed, say some experts, including one who is advocating for new federal and state laws that would prosecute police for standing by while a colleague abuses a suspect. "This needs to be legislation because it is obviously clear that we cannot rely on police to self-police. That has failed," said Zachary D. Kaufman, the Kleh visiting professor in international law at Boston University School of Law. "We need others, namely prosecutors, to hold them accountable."

The Marshall Project has found *Cops Could Use First Aid to Save Lives. Many Never Try - Most officers get training to respond to injuries but are often not required to use it.*<sup>2</sup>

This bill will prohibit a police officer from intentionally violating the requirement that a police officer intervene to prevent or terminate the use of certain force by another police officer; prohibiting a police officer from intentionally violating the requirement to render certain first aid to a person injured as a result of police action and request certain assistance at a certain time; and classifying a violation of the Act by an officer as a misdemeanor and providing, on conviction, a term of imprisonment of up to 5 years.

**I respectfully urge this committee to return a favorable report on HB#/0699.**

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<sup>1</sup> <https://www.cbc.ca/news/world/duty-to-intervene-police-training-1.6736001#:~:text=The%20death%20of%20Tyre%20Nichols%2C%20who%20died%20after%20being%20beaten,as%20well%20as%20the%20community.%22&text=Kurtz%20said%20part%20of%20the,encounter%20in%20their%20daily%20life.%22>

<sup>22</sup> <https://www.themarshallproject.org/2020/12/15/cops-could-use-first-aid-to-save-lives-many-never-try#:~:text=For%20some%20in%20law%20enforcement,feeling%20unprepared%20to%20render%20help.>

# **MCPA-MSA\_ HB 699-Failure to Prevent Excessive Forc**

Uploaded by: Samira Jackson

Position: UNF



# Maryland Chiefs of Police Association Maryland Sheriffs' Association



## MEMORANDUM

TO: The Honorable Sandy Bartlett, Chair and  
Members of the House Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee  
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 24, 2026

RE: **HB 699 - Maryland Use of Force Statute - Failure to Prevent Excessive Force  
or Render First Aid - Misdemeanor**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE** HB 699.

While we share the goal of ensuring accountability and appropriate conduct in policing, the provisions added by this legislation are unnecessary. Current Maryland law already requires officers to intervene when excessive force is being used and to provide medical assistance when needed. These duties are well established in statute, training, and departmental policy across the state.

Importantly, existing law already provides meaningful remedies and legal consequences when an officer fails to meet these obligations. Officers who do not intervene appropriately or fail to render aid may already face criminal liability, civil exposure, administrative discipline, decertification, or termination. The bill's new penalty structure does not create a new duty, but instead layers an additional punitive mechanism onto responsibilities that are already enforceable under current law.

For these reasons, this bill is duplicative and effectively unnecessary. Rather than improving accountability, it risks creating redundant statutory penalties without addressing any demonstrated gap in enforcement. For these reasons, MCPA and MSA urge an **UNFAVORABLE** report on HB 699.

# **HB 699\_ Maryland Use of Force Statute - Failure t**

Uploaded by: Trudy Tibbals

Position: UNF

**HB 699:** Maryland Use of Force Statute - Failure to Prevent Excessive Force or Render First Aid - Misdemeanor: Please vote to **OPPOSE** this bill.

Dear Judiciary Committee:

I am writing to respectfully **oppose HB 699**, concerning *Maryland Use of Force Statute – Failure to Prevent Excessive Force or Render First Aid – Misdemeanor*.

While accountability in law enforcement is essential, **HB 699** raises serious concerns regarding the imposition of criminal liability on officers for actions that may occur in rapidly evolving, high-risk situations.

This legislation would create a new misdemeanor offense for an officer's alleged failure to prevent another officer's use of excessive force or failure to render first aid. In practice, such determinations are often made in **dynamic and unpredictable environments where officers must make split-second decisions to protect themselves, their fellow officers, and the public**. Imposing potential criminal penalties in these circumstances will **introduce hesitation or uncertainty at critical moments, potentially compromising officer safety and public protection**.

The bill states "... Each police officer shall sign an affirmative written sanctity of life pledge to respect every human life and act with compassion toward others..." This an overreach of governmental power and is completely unnecessary. Law enforcement officers have never needed to sign a "pledge" in order to do their jobs in an effective and respectful manner. Who would determine whether an officer has violated this pledge? How would local departments ensure that any violations of this "pledge" were judged fairly and without biases?

"... 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 shall cease the use of force as soon as: the person on whom the force is used: 1. is under the police officer's control; or 2. no longer poses an imminent threat of physical injury or death to the police officer or to another person; or the police officer determines that force will no longer accomplish a legitimate law enforcement objective. A police officer shall: when time, circumstances, and safety allow, take steps to gain compliance and de-escalate conflict without using physical force; intervene to prevent or terminate the use of force by another police officer beyond what is authorized..."

**Who** will determine the "**totality of the circumstances**" or "**when time, circumstances, and safety allow**"? **HOW** will these undefined conditions be determined? With the ambiguity of such language, the potential for misjudgment of an officer's actions is unlimited.

Additionally, the bill does not appear to clearly define the scope of what constitutes a reasonable opportunity to intervene or render aid. Without precise standards, officers may be subject to after-the-fact judgments based on incomplete information, exposing them to criminal prosecution despite acting in good faith under dangerous and chaotic conditions.

**Law enforcement agencies already maintain internal policies, training requirements, and disciplinary procedures governing use of force and the duty to provide medical assistance. Expanding criminal liability for officers needlessly duplicates existing accountability mechanisms while creating additional legal ambiguity for officers in the field.**

**Ensuring responsible policing must be balanced with realistic expectations of officers operating in complex and time-sensitive situations. Measures that could inadvertently discourage decisive action in emergencies will have unintended consequences for both officer effectiveness and public safety.**

For these reasons, I respectfully urge you to **oppose HB 699**.

Thank you for your time and thoughtful consideration.

Respectfully,

Trudy Tibbals