



**MML/MACo Statement on JPR 11 - Tort Claims Acts – Limits on Liability –
Law Enforcement Officers (Maryland Police Accountability Act of 2021)**

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The Maryland Municipal League (MML) and Maryland Association of Counties (MACo) understand the need for reform within the realm of law enforcement in the state. Due to the timing of the hearings and release of the proposed slate of bills, our legislative committees were not able to officially review and take positions on them. Therefore, this letter is for informational purposes and shares the organizations' long-standing joint views on the issue of raising the judgement caps in tort claims against local governments.

The Local Government Tort Claims Act (LGTCa) is an area where both organizations have been involved for years, as it is an important element of law enforcement reform in Maryland. We look forward to participating in the debate as it moves forward.

When the LGTCa was established, county and municipal governments relinquished long-held sovereign immunities from tort actions, balanced by the installation of certain parameters to protect taxpayers. The limit on liability payment is one of these important parameters. Tort actions against local governments are capped because taxpayer dollars are used to litigate claims brought against them. These tort caps reflect a longstanding and sensible policy compromise, reflecting those local governments' indemnification of their employees, providing more assurance that resulting judgments can be fairly satisfied.

Local governments provide legal defense for their employees for tortious actions committed within the scope of government employment, which includes potential actions by law enforcement officers. The LGTCa strikes an appropriate balance between plaintiffs' rights and protections for local governments and local taxpayers against exorbitant court awards.

We look forward to an ongoing dialogue with the members of the General Assembly to determine how LGTCa caps play a role in an appropriate balance between the need to award plaintiffs and the need to provide essential services to our local governments.

