



## Major County Sheriffs of America Statement on Qualified Immunity

The Major County Sheriffs of America (MCSA) believes that the qualified immunity doctrine is central to the ability of law enforcement officers to perform their duties on behalf of the public. It protects officers from personal liability for doing their jobs within the bounds of the law and the Constitution.

We oppose a statutory elimination or change to qualified immunity because it would create a disincentive for officers to protect the public. It would be improper to hold an officer accountable for money damages for conduct that the officer believed at the time to be lawful.

Qualified immunity does not make law enforcement officers less accountable or encourage them to act with impunity. On the contrary, it ensures that they can confidently take decisive action in critical moments to protect public safety and their own personal safety. Without this protection officers will likely hesitate in life-or-death situations, and that hesitation will cost innocent lives.

Officers who knowingly violate a person's civil rights must be held accountable. Qualified immunity allows for that – it is not absolute immunity. At the same time, officers who conduct themselves within the established law should be entitled to protection from civil suits. Qualified immunity also allows for that.

Without this protection, officers who act based on what they know to be lawful and constitutional would put their livelihoods – and the well-being of their families – at risk for doing the jobs they are trained to do.

As agency executives, we are extremely concerned that eliminating or weakening qualified immunity would jeopardize our ability to attract, recruit, and retain talented deputies and officers. The job is already one of the most difficult and risky jobs in the world. Without the reasonable and carefully crafted protection of qualified immunity, good people who are otherwise committed to public service would very likely be deterred from the profession.

MCSA is committed to working with Congress on a range of policies that will improve law enforcement accountability and ensure justice for all citizens. Eliminating or changing qualified immunity would accomplish neither of those goals and would have a detrimental impact on our ability to protect the public.

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For additional information, please contact MCSA Executive Director, Kimberly Wagner at [kwagner@mcsheriffs.com](mailto:kwagner@mcsheriffs.com) or 804-370-1669.

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