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COLONEL
WOODROW W. JONES III
SUPERINTENDENT

August 27, 2021

The Honorable Brian E. Frosh
Office of the Attorney General
200 St. Paul Place
Baltimore, MD 21202

CIVIL LITIGATION DIVISION
RECEIVED
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Office of the Attorney General

Dear Attorney General Frosh:

As you are aware, Chapter 60/Senate Bill 71, the *Maryland Police Accountability Act of 2021-Body-Worn Cameras, Employee Programs, and Use of Force*, was passed in the 2021 General Assembly session, establishing the Maryland Use of Force Statute. Under this new law, a police officer in Maryland “may not use force against a person unless under the totality of circumstances, the force is *necessary* and *proportional* to (1) prevent an imminent threat of physical injury to a person; or (2) effectuate a legitimate law enforcement objective.” (Emphasis added).

The law does not define “necessary” or “proportional.” As you know, this bill goes into effect on July 1, 2022. As the Maryland Department of State Police prepares to make changes to our training to ensure it meets the requirements of this new law, we are asking for an Attorney General’s opinion, which will provide meaning to the terms necessary and proportional, as used in this context.

Please do not hesitate to contact me with any questions. I may be reached by telephone at 410-653-4219 or by email at mSP.superintendent@maryland.gov. Thank you in advance for your assistance in this matter of great importance.

Sincerely,

Woodrow W. Jones III
Superintendent

WWJ:JEH:drc

“Maryland’s Finest”

