

April 13, 2021

To the members of the Judiciary Finance and Civil Law Committee and all of our elected Representatives:

This letter is my expression of support of HF1103 and HF1104, addressing both ending qualified immunity for law enforcement officers and also the timely release of body cam footage to the families and legal representatives of victims of potential police negligence, recklessness and violence.

I urge the Judiciary Finance and Civil Law to support these bills as well. It is my strong belief that these are urgent first steps in addressing the many problems affecting policing in Minnesota.

Body Cam footage should never be withheld from the victims' families and legal representatives. Timely transparency is the key to any shred of trust between law enforcement and the community it is attempting to "protect". Community leaders should not have to work so hard to apply pressure to those in power for the release of such footage. Law enforcement should not have an unfair advantage in having extra time to build their case. Those in power have a heavier burden of transparency in all things.

Additionally, the prohibition of Qualified Immunity of law enforcement from civil and criminal liability is necessary and is a defining rule of law that prevents impunity and crossing into becoming like a police state. Police officers must be held liable for their "mistakes" while serving on the job. Many other professions require individuals to be liable for their own mistakes that can prove fatal, and policing should be no different. Other states have been ending qualified immunity and frankly, it is outrageous that Minnesota has moved so slowly to do so, given the many instances where this has been used as a defense for police violence and recklessness which proved fatal to a number of human beings.

Immunity from the rule of law results in impunity. Policing with impunity sounds a lot like the stories and cases I have heard from asylees seeking refuge in the United States from abusive police states that persecuted people in their home countries. Are we not becoming that, particularly for People of Color? Criminal and civil liability must be applied to law enforcement and qualified immunity should never be a defense for abusive misconduct against human beings.

Please lend all of your support toward these two bills, HF 1103 and HF 1104. There is much trust lost between law enforcement and our many communities of color, but these two bills are necessary first steps.

Thank you for your time in reading this.  
Sincerely,

Karensa D. Fischer  
Constituent of District 66/66A