

QMAP: [#4529] Governors Are Not Immune to Lawsuits Arising Out of Willful or Negligent Disregard of State Laws

<https://twitter.com/HouseGOP/status/1276589294010982401> 

Did order(s) violate government mandated policies?

Would a jury of peers agree their actions were reckless?

Would a jury of peers agree their actions were negligent?

<https://www.law.cornell.edu/constitution-conan/amendment-11/suits-against-state-officials> 

"The immunity of a state from suit has long been held not to extend to actions against state officials for damages arising out of willful and negligent disregard of state laws.¹⁶⁵ The reach of the rule is evident in *Scheuer v. Rhodes*,¹⁶⁶ in which the Court held that plaintiffs were not barred by the Eleventh Amendment or other immunity doctrines from suing the governor and other officials of a state alleging that they deprived plaintiffs of federal rights under color of state law and seeking damages, when it was clear that plaintiffs were seeking to impose individual and personal liability on the officials. There was no "executive immunity" from suit, the Court held; rather, the immunity of state officials is qualified and varies according to the scope of discretion and responsibilities of the particular office and the circumstances existing at the time the challenged action was taken."

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