



Written by [C. Mitchell Shaw](#) on August 28, 2020

Virginia Democrats Move Closer to Removing Penalties for Assaulting Police

RICHMOND, Va. — As part of Democrat Virginia Governor Ralph Northam's special session of the General Assembly to deal with "criminal justice reform," the Virginia Saenate voted on Wednesday to eliminate many of the penalties for assaulting police officers. If the bill — which passed along straight party lines with a vote of 21 -15 — passes in the House of Delegates, Northam has said he will sign it into law.



That would mean that an assault against a law police officer, judge, magistrate, correctional officer, and many others in criminal justice would be a misdemeanor unless the assault results in "bodily injury." The summary of the bill — [SB 5032](#) - reads:

Assault and battery; penalty. Eliminates the mandatory minimum term of confinement for an assault and battery committed against a judge; magistrate; law-enforcement officer; correctional officer; person directly involved in the care, treatment, or supervision of inmates; firefighter; or volunteer firefighter or any emergency medical services personnel and provides that such crime can no longer be committed as a simple assault and must result in a bodily injury.

As the law currently stands, such assaults are considered felonies and carry a mandatory minimum six-month jail sentence. SB 5032 removes that mandatory sentence. Given the current state of escalating violence against police officers in Virginia and across the country, this partisan approval for removing the harsher penalty is rightly seen as a license to continue that violent trend.

If passed by the House of Delegates, the law would approach legalization of violence against police. With SB 5032 passing along straight party lines in the Senate, it does not look hopeful that it will fail in the House of Delegates. Democrats currently hold a 10-seat majority in the House.

While Democrats praised the bill's passage in the Senate, Republicans voiced serious concerns. Senator John Cosgrove Jr. (R) asked, "What in the world are we doing?" And, "Have you seen the attacks on police officers?" Senator Amanda Chase (R) — who is running for governor in 2021 — called the bill "an attack on our law enforcement" that sends a clear message "that we're going to stand back" and let criminals attack police officers with abandon.

With many in law enforcement already considering their jobs to be increasingly dangerous, this leaves few options. The outcome of such a law would likely lead a reasonable police officer to meet any assault with great force, since the legal protection the officer previously enjoyed would be taken away. Of course, with more and more police officers being charged as criminals for using force to protect themselves and others, many may choose to join the growing trend of turning in their badges and finding other careers.

And that may just the point behind this legislation. Democrats in Virginia and across the country have been listening to the radical rhetoric of extremist groups such as Black Lives Matter and Antifa about



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defunding and even abolishing police departments. This type of legislation appears to be a soft end-run toward that goal. If police departments simply dissolve because it becomes impossible to hire and retain men and women who refuse to risk life and limb in a system designed to increasingly endanger them, there will be no police departments left for democrats to defund or abolish.

The end result of this bill will be an increase of violence and a lack of police officers. Even those who stay on the job will likely be less willing to engage in dangerous situations. At a time when violence, looting, and riots are destroying cities across this country, police officers are needed more than ever.

This legislation is a clear message to law enforcement in Virginia: While you risk your lives and bodies to serve and protect, you are on your own — lawmakers do not have your back.

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