



Written by [R. Cort Kirkwood](#) on July 1, 2020

Virginia Democrats: Lower Penalty for Assaulting Cops, No Self-defense for Cops Until It's Almost Too Late

Democrats in Virginia's Senate have announced their plan to continue the national party's war against law and order in general, and cops in particular, when the state's General Assembly convenes for a special session in August.

The party's caucus in the upper chamber has released a "police reform and criminal justice equity plan," it says, because the aim of the state's criminal-justice system is to punish and convict and not rehabilitate and seek "justice," whatever that term means to a modern Democrat.



The caucus offered nearly 50 proposals to cripple police. The two most dangerous are dialing back the penalty for assault on a police officer and severely hampering a cop's duty and right to defend himself and those around him.

Message: Now that Democrats control Virginia top-to-bottom, cops had better watch out. The leftist war on police is coming to the Old Dominion.

The Proposals

"The deaths of George Floyd, Ahmaud Arbery, and Breonna Taylor has [sic] awoken Americans and Virginians to long standing problems in policing in America," the [caucus plan says](#). "After people are arrested additional damage is done by a criminal justice system that has been streamlined to produce convictions and punishment instead of rehabilitation and justice."

As well, the plan says, "we cannot achieve true equity unless we address the entire Criminal Justice System and not solely policing."

Further, we note that this is a problem that permeates beyond the criminal justice system and will require legislative action beyond this scope. In the absence of universal pre-K, quality schools, a path to economic equity, affordable healthcare, affordable and quality housing, and food access, we will not be able to close the many paths that lead to the criminal system pipeline.

How that claim squares with the free food, free education, and free healthcare available to every Virginian and every American the Democrats did not explain.

Nonetheless, they offered a list of proposals that might well send the message that thugs can attack police with impunity.

Right now, Virginia law [makes assaulting](#) a cop a Class 6 felony that can land a five-year prison term. The mandatory minimum is six months behind bars.

The Democrats would turn that felonious assault into a misdemeanor.

The plan does not say whether attacking judges, magistrates, firefighters, and other government



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employees will remain a felony.

[The Democrats also offered](#) these daft ideas, not least of which is nearly forbidding officers from defending themselves from murderous criminals until it's too late:

- Require Attempts at De-escalation Prior to Use of Force
- Require Warnings Before Shots Fired
- Require Law Enforcement to Exhaust All Other Means Prior to Shooting
- Create Duty to Intervene by Fellow Law Enforcement Officers
- Prohibit Shooting at Moving Motor Vehicles
- Require Departments to Create a Use of Force Continuum
- Prohibit Searches of Person or Vehicle Based on Odor of Marijuana Without Probable Cause for Other Offenses
- Prohibit Stops for Equipment Violations Not Covered by State Vehicle Inspection

The plan does not define “all other means prior to shooting,” what “warnings before shots fired” must include, or the type or number of “attempts at de-escalation.”

The Democrats would also restore parole, eliminate mandatory minimum sentences, forbid the death penalty for the mentally ill, expunge drug and alcohol charges if a convict completes a rehabilitation program, reduce the sentence for robberies from life to terms of years, “defelonize” third offense petit larceny and consensual sexting between minors, and eliminate jury sentencing or let the accused decide who will sentence him.

Shoot Them in the Leg

The Democrat plan to micromanage police under attack is of a piece with the silly advice of the party's presidential candidate, Joe Biden, who thinks cops should be trained to shoot knife-wielding suspects in the leg.

“When there's an unarmed person coming at them with a knife or something, you shoot them in the leg instead of in the heart is a very different thing,” [Biden said](#). “There's a lot of different things that could change.”

Police reacted predictably. Cops are trained to shoot center of mass, not because they are aiming to shoot the person in the heart to kill, but instead aiming at center of mass to put the suspect down. Thus, the advice was beyond silly. It was dangerous, because it would require police to shoot at a small, moving target in a life-or-death fight.



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