

# State agents to face no penalties for assault on Virginia student

Joe Williams  
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Late last month, the Virginia Department of Alcoholic Beverage Control announced that the agents responsible for the wrongful arrest and assault of University of Virginia honors student Martese Johnson on St. Patrick's Day of this year will return to full duty without facing any disciplinary action.

"After thoroughly reviewing the incident and the report, Virginia ABC concluded that the agents did not violate agency policy and returned these special agents to active duty today," read an official statement of the Virginia ABC earlier this month. In addition, state officials refused to release the report exonerating the officers, whom they have not named.

The decision to absolve the agents was based on a report issued by the state police, which was presented as "independent" by officials and the media. It echoed the findings of local prosecutors, who announced in June that the officers violated no laws or procedures when they arrested the youth.

The investigation stemmed from an arrest that occurred in March, when Johnson, a 20-year-old UVA student, was falsely accused of having a fake ID and was tackled to the ground by ABC agents outside of a bar. The struggle resulted in Johnson's head being slammed into the pavement, requiring ten stitches. Photos taken by witnesses who returned to the scene the next day show the pavement still covered in blood. A source close to Johnson was quoted by media outlets indicating that he plans to sue the department, but Johnson's lawyer has not confirmed this.

The assault enraged the UVA student body, forcing college president Theresa Sullivan to address crowds of angry protesters over the ensuing days in an effort to restore order. Many students drew parallels to a similar incident in 2013, when a student was attacked by armed agents who falsely accused her of purchasing beer in

violation of the age restriction. She had actually purchased a case of bottled water. ABC settled that case for \$212,500.

The exoneration of the officers comes after prosecutors representing the state found last June that the officers violated no statutes in aggressively apprehending the youth. "We strive to keep in mind the need to do the right thing when we have an opportunity to. And sometimes that means not prosecuting a case that you could prosecute," stated Charlottesville Commonwealth Attorney Dave Chapman at the time.

Governor Terry McAuliffe was also forced to respond to the fallout, ordering an expert review panel to assess the ABC's law enforcement practices. The panel's report is due to be sent to the governor in November, but the composition of its membership implies that it will be entirely consistent with those of the prosecutors and State Police. Headed by Brian Moran in his capacity as Secretary of Public Safety and Homeland Security, the panel consists mainly of law enforcement officials, college officials, lawmakers and representatives from restaurants and breweries.

In the meantime, McAuliffe took the opportunity to order ABC to adopt a series of "community policing" measures, focusing on "cultural diversity" and "sensitivity" training. The measures also require minor organizational reforms, such as a requirement that ABC's law enforcement division report directly to the department's Chief Operating Officer, and consider ways to expand cooperation with local law enforcement agencies. "Community policing" has been touted by the Obama administration, and its supporters among the pseudo-left, as a means to prevent police brutality and "restore trust" in law enforcement. In reality, localities that have implemented such measures have seen an increase in police violence, as well as arrests for minor

offences.

Open government activists have blasted officials for falsely claiming that state law prevents the release of the report's findings. Alan Gernhardt, attorney for the Freedom of Information Act Coalition, has confirmed that the law cited by officials merely allows for discretion in releasing it, and does not prevent such disclosures in any way. Megan Rhyne, executive director of the Virginia Coalition for Open Government, told the local press, "The notion of discretion is a basic tenet of FOIA...so it's pretty distressing to see it misinterpreted at such a high level."

The administration of Terry McAuliffe, Lt. Governor Ralph Northam and Attorney General Mark Herring—all Democrats—has enthusiastically followed the Obama administration's lead in stepping up police state measures. A former chairman of the Democratic National Committee and longtime associate of the Clintons, McAuliffe has been a vocal supporter of Virginia's solitary confinement policies, which are among the most brutal in the country. More recently, he supported legislation to enhance government surveillance and extend the length of time police can keep data from license plate readers. The ACLU found in 2013 that Virginia was using this data to track the activities of people who attended political events.

Virginia is a state that plays an important role in the efforts of the ruling elite to attack democratic rights and militarize society. It is home to Naval Station Norfolk, the largest naval installation in the world, as well as Quantico Marine Corps Base, which has housed political prisoners like Chelsea Manning in its brig. The FBI and DEA also have their primary training facilities on the base. According to a website that tracks government contracts, private military contractors in Virginia received \$562 billion between 2000 and 2014. In addition, numerous private military and defense contractors are headquartered in the Northern Virginia suburbs of Washington, DC, in the economic hub of the state.



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