

# Assembly achieves criminal justice transformation

Session also wraps up with raises for teachers and state employees

BY MICHAEL MARTZ  
Richmond Times-Dispatch

Under the shadow of a police officer's violent death in a small Shenandoah Valley town, the General Assembly completed the work of a hybrid legislative session on Saturday that sought to transform Virginia's criminal justice system and restore public schools that have been partly or fully shuttered during the COVID-19 pandemic.

The assembly voted to abolish the death penalty — making Virginia the first Southern state to do so — and legalize marijuana as of 2024. It voted to end the use of mandatory minimum sentences for many crimes and expunge criminal records for many nonviolent offenses.

As of Saturday night, lawmakers sought to work out differences in proposed constitutional amendments that would restore voting rights for thousands of Virginians convicted of felonies.

The legislature, meeting on what would have been the 46th day of its regular odd-year session, somberly paid tribute to Dominic "Nick" Winum, a 48-year-old police officer in the town of Stanley in Page County who was shot to death in his patrol car during a traffic stop on Friday afternoon. County deputies fatally shot a suspect in the officer's death.

Sen. Mark Obenshain, R-Rockingham, said Winum "wanted to make a difference for the people in Stanley."

The officer's family "is heartbroken and I just hold them in my heart and prayers, and I pray for peace and comfort for his wife and his three children."

Obenshain said he didn't realize it until his aide told him, but 12 days ago Winum sent him an email to encourage him and thank him for his legislative efforts. "I just am heartbroken that I hadn't had the opportunity to reach back and thank him for what he did every day."

## Budget

The assembly adopted a \$141 billion, two-year budget that

would restore and surpass raises that teachers, state employees and public employees lost during the public health emergency that began on March 12, the same day the legislature adopted the first of three budgets in less than 12 months.

The new budget gives 5% raises to teachers, state employees and state-supported local employees, and additional money to state police, Capitol Police, correctional officers, social workers and local registrars.

The budget, built around the \$48 billion general fund for core services, also would rebuild state funding for K-12 and higher education, use federal aid to accelerate vaccinations against the coronavirus disease

and prevent its further spread, and restore many of the investments lost last year because of the economic fallout from the pandemic.

"I am thrilled we were able to restore so much of the funding we had included in last year's budget before the pandemic forced us to hit the pause button," Senate Finance Chair Janet Howell, D-Fairfax, said Saturday before the Senate approved the budget by a vote of 29-10.

The House of Delegates approved the budget by a vote of 67-32. House Appropriations Chairman Luke Torian, D-Prince William, said the budget "will protect our public schools from lost funding, address our students' lost learning, and maintain affordable access to our colleges and universities."

Sen. Steve Newman, R-Lynchburg, a senior member of the finance committee who served as an adviser in budget negotiations, praised the budget for relying on \$633 million less revenue than the spending plan adopted almost a year ago, while putting an additional \$900 million in the state's financial reserves.

"We've never seen anything like that before," Newman said.

The budget reflects \$221 million in tax relief under emergency legislation that will take effect immediately upon Gov. Ralph Northam's signature to conform Virginia tax code to

new federal tax laws in a pair of emergency relief packages that Congress approved last year in response to the COVID-19 crisis.

In addition to lowering taxes by \$121 million for individual taxpayers, the assembly endorsed a compromise on Saturday to allow businesses that received tax-exempt federal aid to deduct up to \$100,000 in expenses from their state taxes.

"Over 93,000 small businesses in Virginia who kept their employees paid even when the government shut them down and they suffered significant losses, will be able to receive this relief," said Nicole Riley, state director of the National Federation of Independent Business. "Hopefully, avoiding a big tax bill will help them get past the economic crisis."

## Elections loom

The special session, begun on Feb. 10 after Republicans refused to extend the regular session beyond 30 days, will adjourn officially on Monday so that legislation the assembly adopted will take effect on July 1, the same day as the new budget. The assembly convened on Jan. 13.

It's the first time since the adoption of a new state constitution 50 years ago that the assembly hasn't extended its regular odd-year session to 46 days, but the legislature is meeting in a pivotal election year, with races for governor, lieutenant governor, attorney general and all 100 seats of the House up for grabs.

The candidates for the three statewide offices include 11 sitting members of the House or Senate, as well as Lt. Gov. Justin Fairfax.

The Senate censured one Republican candidate for governor, Sen. Amanda Chase, R-Chesterfield, for a history of controversial behavior that included her support of protesters at rallies that preceded an assault at the U.S. Capitol on Jan. 6 as Congress prepared to certify the election of Democrat Joe Biden as president. Chase has challenged the censure in federal court.

Republicans have focused their political fire on Northam and Democrats over the shutdown of in-person education in

many public school systems and an intensifying scandal involving the Democratic-controlled parole board.

## Back to school

The assembly adopted bipartisan legislation to require Virginia to reopen schools for in-person instruction by July 1.

Northam already had recommended that schools begin reopening their buildings by March 15, but Sen. Siobhan Dunnaway, R-Henrico, and Del. Schuyler VanValkenburg, D-Henrico, pushed a legislative compromise that mandates in-person instruction instead of leaving the decision to local school boards.

## Parole board

Two senators, a Republican and a Democrat, have called for a special committee of the legislature to investigate a controversy surrounding the parole board. Last year, the Office of the State Inspector General found that the parole board violated policy and state law in granting parole to a man serving a life sentence in the killing of a Richmond police officer in 1979.

But last week, new inspector general records emerged in media reports with further allegations of wrongdoing by the current and former leaders of the board.

Sen. Bryce Reeves, R-Spotsylvania, said Saturday that lawmakers must oversee an investigation.

"How are our citizens who we represent supposed to have any trust in government?" Reeves asked. "We have a moral obligation to do something. We can't just sit around and watch corruption happen."

## COVID-19

Ultimately, however, the session was dominated by the COVID-19 pandemic that began in Virginia almost a year ago. The House met entirely online, as it did during all but one day of a special session last year to deal with a projected shortfall in budget revenues and a call for criminal justice reforms after the death of George Floyd in police custody in Minneapolis last spring.

In contrast, the Senate met in person at the Science Museum of Virginia in Richmond, despite the death of Sen. Ben Chafin, R-Russell, from COVID-19 on New Year's Day.

The assembly approved legislative compromises on Saturday that would presume COVID-19 illnesses to be caused by work and qualify for workers' compensation for health care workers, police, firefighters and other emergency workers.

The new budget would boost the rates that Virginia's Medicaid program pays to personal care attendants and home health aides for taking care of elderly and disabled Virginians in their homes, give attendants five days of paid sick leave for the first time, and extend a daily stipend for nursing homes that care for Medicaid patients during a health crisis that has been deadliest in long-term care facilities.

## Reinsurance

The assembly approved a compromise on Saturday to create a reinsurance program that would lower health insurance premiums by paying separately for people with extensive medical conditions that drive up claims.

Virginia must obtain a Medicaid waiver so the federal government would pay more than 80% of the cost, but the state ultimately would pay \$40 million or more in general tax funds for its share rather than impose a fee on insurance policies as originally proposed.

## Procurement disparities

However, Northam suffered a loss at the end of the session on Saturday, when his proposal to close a disparity in procurement of state contracts by businesses owned by women and minorities failed to gain the two-thirds vote necessary to move the late-breaking legislation to a vote for passage.

"Obviously disappointed," Secretary of Commerce and Trade Brian Ball said after the 24-15 vote, "but we may live to fight another day."

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Staff writer Patrick Wilson contributed to this report.

## LOTTERIES

### SATURDAY, FEB. 27

Day Pick 3: 8-8-2

Day Pick 4: 0-7-1-2

### FRIDAY, FEB. 26

Night Pick 3: 4-3-9

Night Pick 4: 9-7-5-7

Cash 5: 3-14-25-34-38

Cash 4 Life: 12-16-32-36-51 (CB 4)

Mega: 11-15-37-62-64 (MB 5) 2x

There was no jackpot-winning ticket in Friday's \$30 million Mega Millions drawing. Tuesday's jackpot is \$43 million. Visit [Richmond.com](http://Richmond.com) (search: lottery) for more numbers.

## CORRECTION

Two state troopers were together in the same vehicle during their pursuit of Xzavier Hill on Jan. 9 in an incident that ended with Hill's shooting death. A story on Page A1 on Saturday about a grand jury's investigation of the shooting contained incorrect information.

**Corrections:** We want to correct substantive errors. Call the appropriate News department. Corrections appear on this page.

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