



MINNESOTA POLICE AND PEACE OFFICERS ASSOCIATION

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STATEMENT: MPPOA on Hennepin County Attorney's decision not to prosecute felony assault cases regarding spitting on police officers

(St. Paul, Minn.) – Minnesota Police and Peace Officers Executive Director Brian Peters has the following statement regarding the Hennepin County Attorney Office decision not to prosecute felony-level crime (Assault 4 - Spitting) that impact police officers - specifically, declining to prosecute bodily fluid spit on an officer's body.

"It's ridiculous the Hennepin County Attorney's Office will not uphold state law and not prosecute felony-level assault. Just as violent crimes in our communities are increasing, physical assaults of law enforcement officers are also increasing. This decision is also bizarre and reckless considering the global pandemic as saliva spreads Covid-19.

The bottom line: Not prosecuting felony-level assault charges is giving a free pass to felons - and in this case, at the expense public safety officers. How many other victims of crime will not be able to seek justice as the county attorney decides not to uphold the law?"

Statutory Law: 609.2231 ASSAULT IN THE FOURTH DEGREE

Subdivision 1. Peace officers.

- (a) As used in this subdivision, "peace officer" means a person who is licensed under section [626.845, subdivision 1](#), and effecting a **lawful arrest or executing any other duty imposed by law.**
- (b) Whoever physically assaults a peace officer is guilty of a gross misdemeanor.
- (c) Whoever commits either of the following acts against a peace officer is guilty of a felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$6,000, or both: (1) physically assaults the officer if the assault inflicts demonstrable bodily harm; or **(2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the officer.**

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The Minnesota Police and Peace Officers Association (MPPOA) represents Minnesota's 10,000+ public safety officials who hold active law enforcement licenses in the state of Minnesota. Members include police officers, correctional officers, dispatchers, and firefighters. MPPOA is the largest association representing public safety professionals in the State of Minnesota.



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