

# Attorneys present closing arguments in trial of Derek Chauvin for murder of George Floyd

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Attorneys for the prosecution and defense in the criminal trial of former police officer Derek Chauvin delivered their closing arguments Monday. Chauvin is charged with second-degree unintentional murder, third-degree murder and second-degree manslaughter for his role in the killing of George Floyd.

He faces 12.5 to 40 years in prison if found guilty of the most serious charge, second-degree murder, but would be likely to receive the minimum sentence of 12.5 years under state guidelines, which classify him as a “first offender.”

State prosecutor Steve Schleicher argued that Chauvin “chose pride over policing” when he knelt on Floyd’s neck for 9 minutes and 29 seconds. Schleicher said that Chauvin knew he held power and authority and willfully abused it, deciding that he wouldn’t let the protestations of bystanders dissuade him from his “unnecessary, gratuitous and disproportionate” actions.

“The defendant was not going to be told what to do. He was not going to let the bystanders tell him what to do. He was going to do what he wanted. How he wanted for as long as he wanted. And there was nothing they could do about it. Because he had the authority. The bystanders were powerless. They were powerless to do anything,” he said.

“And he did it on purpose. This was not an accident. He did not trip and fall and find himself on George Floyd’s neck,” Schleicher said, adding, “Believe your eyes. What you saw, you saw.”

Schleicher described how Floyd pleaded with officers, telling them that he could not breathe well over 20 times. From the moment former officer Thomas Lane drew his gun on Floyd, until he took his last breath, Floyd tried to express his confusion, pain and fear to the police. However, they ignored Floyd and

the crowd of bystanders concerned for his life.

“For 9 minutes and 29 seconds. He begged, George Floyd begged until he could speak no more, and the defendant continued this assault. When he was unable to speak, the defendant continued. When he was unable to breathe, the defendant continued. Beyond the point that he had a pulse. Beyond the point that he had a pulse, the defendant continued this assault. Nine minutes and 29 seconds,” Schleicher said.

Before playing a clip from officer body camera footage from the scene, Schleicher asked the jury, “Do you want to know what indifference is, and sounds like?” The video showed Chauvin on top of Floyd as he pleaded with him.

Chauvin responded to Floyd telling him that he could not breathe and was in pain with snide remarks such as “then stop talking” and “[it takes] a heck of a lot of oxygen to say that.”

Schleicher pointed to the fact that there were multiple points in time where officers could have stopped their assault on Floyd and administered medical assistance, which could have potentially saved Floyd’s life. Instead, Chauvin violated police policy, which led to Floyd’s death.

Schleicher said that Chauvin “knew better but did not do better.” He concluded his statement by once again telling jurors to “believe your own eyes... The defendant was guilty of all three counts, all of them, and there was no excuse.”

Throughout his argument, Schleicher sought to separate Chauvin’s crime from the everyday conduct of the Minneapolis police, and of police forces in general. “This wasn’t policing,” he said. “This was murder.”

In a much longer closing statement, defense attorney Eric Nelson urged the jurors to consider “the totality of the circumstances.” The defense’s argument hinged on

the claim that the prosecution focused too heavily on the time Chauvin was on top of Floyd, while it “ignores the previous 16 minutes and 59 seconds.”

Speaking for more than two and a half hours, Nelson argued that Floyd’s death was “multifactorial,” attempting to confuse the jury with references to drug use, Floyd’s underlying health conditions, and even the possibility that he had inhaled carbon monoxide from the tailpipe of the police car, all to divert attention from the evident fact that without Chauvin’s knee on his neck, George Floyd would not have died on May 25, 2020.

Nelson invoked what “a reasonable police officer” would think or do at least 100 times in the course of his presentation, in an effort to justify Chauvin’s actions and make the deliberate killing of a helpless, handcuffed man seem acceptable. He played numerous clips of bodycam footage and argued that officers were acting according to the rules, based on the information they had available to them. Nelson said officers did what they were trained to do, because the knee restraint Chauvin used was allowed at the time.

Nelson said Floyd’s toxicology report made it clear he had taken drugs before his encounter with police. The defense has focused heavily on Floyd’s opioid addiction in an effort to vilify the victim and raise doubts concerning his death.

“For the medical experts to minimize the timing and the amount of illicit drugs that were found in Mr. Floyd’s bloodstream, is just simply incredible to me, is incredible,” he said. (Actually, only trace amounts of methamphetamine were found in Floyd’s system.)

He dismissed the testimony of Dr. Martin Tobin, the pulmonologist who testified that Floyd died from asphyxiation, arguing that it was misleading and did not give a full picture of the struggle. “His entire testimony is filled with theory, speculation, assumption,” Nelson said.

Nelson concluded his statements by telling the jury they would find that the prosecution had not proven Chauvin was guilty beyond a reasonable doubt, after a “thorough, honest” analysis of the evidence.

After Hennepin County Judge Peter Cahill dismissed the jury for its deliberations, Nelson moved for a mistrial on the grounds that the jury had not been sequestered during the trial and was exposed to media coverage of the protests that took place over the

weekend, triggered by the police killing of Daunte Wright in the Minneapolis suburb of Brooklyn Center.

He argued that a highly publicized statement by US Representative Maxine Waters had “tainted” the jury. Waters attended a protest in Minneapolis on Saturday, telling protesters to “stay in the street and demand justice,” and urging them to be more confrontational.

While ultra-right media outlets like Fox News have described Waters’ comments as incitement to violence—a slander that Nelson repeated to the judge—they are typical of the language of the civil rights movement of the 1950s and 1960s. They don’t compare to the actual incitements to violence made by President Trump before the January 6 attack on Congress and throughout his term in office.

Cahill dismissed the motion for a mistrial, but expressed disgust over Waters’ comments and suggested she might have provided Nelson with grounds for an appeal.

Federal, state and local governments are preparing for potential unrest following a verdict in the trial. Millions have been spent to barricade Minneapolis’ government center and thousands of National Guard troops are occupying cities across Minnesota. Illinois Governor J. B. Pritzker called out thousands of National Guard troops for possible deployment to Chicago Tuesday.

The American ruling class is deeply anxious, understanding the immense social consequences that could follow a failure to convict Chauvin. Millions of working people are holding their breath as they await the verdict, concerned over a possible whitewash.

As the epidemic of police violence continues unabated, thousands have taken to the streets in response to the police killings of Daunte Wright, Adam Toledo and others. On Monday, students from more than 115 Minnesota schools walked out to demand justice. Many others held a moment of silence for Wright and other victims of police brutality.



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