

Jury deliberations begin in the federal trial of three officers who assisted the murder of George Floyd

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Jury deliberations began on Wednesday morning in the federal trial of the three officers who assisted officer Derek Chauvin in killing George Floyd on May 25, 2020. After a month-long trial, prosecuting attorneys and the defense lawyers made closing arguments on Tuesday.

The three former Minneapolis, Minnesota police officers—J. Alexander Kueng, 28, Thomas Lane, 38, and Tou Thao, 36—were indicted by the US Justice Department on May 6, 2021, on multiple counts of “Deprivation of Rights Under Color of Law” for willfully failing to intervene to stop Chauvin from using excessive force and willfully failing to give medical care that “resulted in bodily injury to, and the death of, George Floyd.”

“Under color of law” refers to an act by a law enforcement officer or government official that has the appearance of legal authorization when in fact, no such authority exists. The phrase was included in the Civil Rights Act of 1964 to hold liable anyone who misuses their power to deprive “any citizen of the United States or other person” of their rights “secured by the Constitution.”

Derek Chauvin, who knelt on George Floyd’s neck for nine minutes and caused his death by preventing him from breathing, pleaded guilty to federal civil rights charges on December 15 as part of a deal worked out with the federal prosecutors. Chauvin, who is white, declared for the first time in court that his actions caused the death of the 46-year-old black man. While he has yet to be sentenced by Judge Paul Magnuson, part of Chauvin’s plea arrangement was that his state and federal sentences would be served concurrently, which means he will get an extra 2.5 years added to his

22.5-year state sentence and he will also serve his term in a federal as opposed to state prison in Minnesota.

In her closing argument on Tuesday, federal prosecutor Manda Sertich focused on the amount of time that George Floyd suffered under Chauvin’s knee, begging to be released, while the three police officers did nothing to stop what was going on. Sertich explained that the officers acted willfully in depriving Floyd of his rights, which means that they knew that Chauvin was acting unlawfully. In order to convict the officers, the willful element must be confirmed in the verdict of the jury.

The prosecutor also said that even after his final pleas to be allowed to breathe, all three officers failed to come to his aid and save his life. She said Thao had “done nothing” for four minutes and 40 seconds as the victim called out for help. During the same time, she said, Kueng ignored the desperate pleas as he got “shoulder to shoulder” with Chauvin and never told him to get up. Lane held George Floyd’s legs and chose “not to stop the horror unfolding right under his nose.” Lane only suggested that Chauvin roll him onto his side once and then did “nothing to give George Floyd the medical aid he knew he so desperately needed.”

Each of the men have separate lawyers but they all essentially argued the same position before the jury that the former officers were following the lead of the senior officer on the scene, the murderer Derek Chauvin. They said that force was appropriate in the circumstance because Floyd “had taken fentanyl” and refused to get into the police car after being accused of attempting to pass a counterfeit \$20 bill at the nearby convenience store.

They also said that their attention had been diverted from Floyd's condition because of the crowd of "hostile" bystanders that had assembled to witness the brutalization and murder of a man in broad daylight by the Minneapolis Police Department. Thomas Plunkett, a lawyer for Kueng, pleaded with the jurors that they were the former officers' last defense against a "mob mentality" that was driving their prosecution.

In reality, if not for the bravery of the bystanders—such as teenager Darnella Frazier who captured the entire nine minutes of George Floyd's public execution by the officers on her smartphone and shared the video on social media—very few people would ever have heard about the horrific crime that took place on the corner of East 38th Street and Chicago Avenue in Minneapolis on May 25, 2020.

While Chauvin was proceeding with his deadly kneeling on George Floyd's neck, Thao repeatedly threatened the group of onlookers who had gathered at the scene and were yelling and demanding to the best of their ability that the killing be halted. The four officers were fired only after Frazier's video went viral while the initial report from the Minneapolis Police Department said that Floyd had physically resisted arrest and that "Officers were able to get the suspect into handcuffs and noted he appeared to be suffering medical distress. Officers called for an ambulance. He was transported to Hennepin County Medical Center by ambulance where he died a short time later."

This type of blatant falsification and coverup is common in cases of police violence and murder against poor and working-class people in cities and towns across the US. According to a database of people shot and killed by police maintained by the *Washington Post*, the year 2021 saw the highest number of such deaths, 1,055, recorded since 2015.

Another tragic example of police murder and subsequent coverup is the brutal shooting of Breonna Taylor in her own apartment on March 13, 2020. On Wednesday, the trial of former Louisville, Kentucky policeman Brett Hankison, the only law enforcement officer to be charged in relation to Taylor's death, began in Jefferson County Circuit Court before a twelve-person jury.

Taylor, a black 26-year-old emergency room technician, was asleep with her boyfriend in her apartment when a squad of three white plainclothes

police officers battered her door down while serving a "no-knock warrant." Taylor's boyfriend, Kenneth Walker, thinking that a break-in was underway fired a warning shot from his legally possessed handgun. In response, the officers fired 32 shots into the apartment, six of which struck Taylor and killed her.

An elaborate scheme to cover up the killing was worked out by the officers with a filed incident report that said Taylor had died on the scene, but her injuries were "none" and there was "no" forced entry. Once again, the falsifications in the police report and the whitewash of the brutal murder of Taylor would never have been brought to light had it not been for the actions of her family members and the nationwide protests that developed six weeks later following the murder of Floyd.

As it is, the trial of Hankison—an officer with a long record of police misconduct—is an attempt to make him the fall guy for rampant criminality within the Louisville Metro Police Department (LMPD). Hankison has not been charged with killing Breonna Taylor but with three counts of first-degree wanton endangerment, which is a low-level felony, for the shots he fired during the raid into the neighboring apartment where a family was sleeping.

The officer who actually fired the shots that killed Breonna Taylor, Myles Cosgrove, and the senior officer leading the raid, Jonathan Mattingly, have faced no charges after they were cleared by a grand jury overseen by Kentucky Attorney General Daniel Cameron. The LMPD has maintained that none of the officers were wearing body cameras, while news photos taken at the scene showed at least one of them wearing a camera.



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