

# Former Minneapolis cop who held back bystanders during George Floyd's murder found guilty

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On Monday, a county judge in Minnesota found former Minneapolis policeman Tou Thao guilty of aiding and abetting second-degree manslaughter in the killing of George Floyd by fellow officer Derek Chauvin in May 2020.

In a 177-page ruling, Judge Peter A. Cahill filed a judgment with the Fourth District Court of Hennepin County, Minnesota, on May 1 stating that the defendant “is hereby convicted” and found “guilty beyond a reasonable doubt” because he “actively encouraged” the deadly treatment of Floyd by his three fellow officers, Chauvin, J. Alexander Kueng and Thomas Lane.

The ruling describes in detail the now-familiar scene of the murder in front of Cup Foods at 38th and Chicago in south Minneapolis on May 25, 2020, which sparked mass protests against police violence across the US and internationally.

The three other officers “forcibly restrained Floyd prone on the unyielding concrete of Chicago Avenue for almost nine and a half minutes: Chauvin pressed his left knee onto the back of Floyd’s neck and his right knee into Floyd’s side, mid torso; Kueng knelt on Floyd’s lower back and held his arms (which had been handcuffed) behind his back; Lane restrained Floyd’s legs.”

Judge Cahill writes that overwhelming evidence “proves that Tou Thao aided and abetted manslaughter in the second degree” by “holding back concerned bystanders, declining to render aid to Floyd, and not permitting any of the bystanders to render medical aid to Floyd...”

The guilty ruling also reviews the fact that Thao was not a rookie officer but a veteran of nearly a decade on

the Minneapolis police force. Judge Cahill wrote that Thao “knew that the officers’ prone restrain could kill,” yet he made, “a conscious decision to actively participate in Floyd’s death.”

Thao pleaded not guilty to the charges and his case was decided by a judge because he waived his right to a jury trial in an unusual process in which the defense and the prosecution jointly present a set of agreed upon facts. By asking Judge Cahill to determine his guilt or innocence, Thao also gave up his right to testify in his own defense and also to cross-examine and question witnesses.

Thao’s attorney, Robert Paule, argued that the former officer believed that Floyd was experiencing excited delirium, an unscientific diagnosis that is often cited in cases when people die in police custody. In his submission to the court, Paule wrote, “Thao was taught that people in these highly agitated states are extremely dangerous to themselves and others, unless they are restrained until they are sedated.”

Anyone who watches the smartphone video by Darnella Frazier, the 17 year old who recorded the nearly 10 minutes in which the officers extinguished Floyd’s life, can see for themselves the behavior of Thao toward those who wanted to stop the killing from taking place. He threatened to mace any of the bystanders who came forward at the scene to attempt to rescue Floyd as he cried out for his mother and said he could not breathe.

Frazier is the first bystander witness included in Judge Cahill’s decision. She was 18 at the time she testified during the Chauvin trial. The ruling says, “Frazier also testified that she felt ‘threatened by the police officers,’ noting specifically that any of the

bystanders attempted to approach the officers to assist Floyd, Chauvin and Thao pulled out mace, warning them to stay back.”

The other witnesses—Alyssa Funari, Kaylynn Gilbert, Shawanda Hill and Donald Williams—corroborated the facts as told by Frazier. In the case of Williams, he repeatedly referred to Thao as a “bum” for refusing to act in the face of “an increasingly dire situation.”

While Thao pleaded not guilty to the charges against him, Kueng pleaded guilty to state manslaughter charges in October and Lane pleaded guilty in May to state charges of aiding and abetting. They were also charged with violating Floyd’s constitutional rights and were convicted in February 2022 in federal court. Both are serving concurrent sentences of between two-and-a-half and three-and-a-half years in prison.

Chauvin pleaded not guilty to state second and third degree murder and second degree manslaughter charges and was found guilty by a Minnesota jury in April 2021. He was sentenced to 22½ years in prison. In December 2021, Chauvin pleaded guilty to federal charges of violating Floyd’s rights and was given another sentence of 21 years. The two sentences are being served concurrently and Chauvin could be released from prison as early as 2038. He is currently being held in federal prison in Tucson, Arizona.

Thao, 34, is currently serving a three-and-a-half-year federal sentence for failing to provide medical help to George Floyd and for failing to stop Chauvin. His sentencing hearing on the state conviction is scheduled for August 7.

The mixed ethnicity of the former Minneapolis officers—Kueng is black, Thao is Asian of Hmong descent and Lane and Chauvin are white—who have now all been convicted for both state and federal crimes in the police murder of African American George Floyd is an exposure of the essential falsehood of the position that police violence in America is always and primarily a matter of white cops against black victims.



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