

Beat: News

Derek Chauvin Sentenced to More Than 20 Years in Prison

Depriving George Floyd of His Rights

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USPA NEWS - The Justice Department announced today that former Minneapolis Police Officer Derek Chauvin, 46, was sentenced today to serve 252 months in prison, with credit for time served, for depriving George Floyd, Jr. and a then-14-year-old child of their constitutional rights.

On Dec. 15, 2021, Chauvin pleaded guilty in federal court to two violations of a federal criminal civil rights statute. First, Chauvin pleaded guilty to willfully depriving George Floyd of his constitutional right to be free from the use of unreasonable force by a police officer, resulting in Mr. Floyd's bodily injury and death. In the plea documents, Chauvin agreed that the sentencing for this crime should be based on the sentence for second-degree murder because he acted willfully and in callous and wanton disregard of the consequences to Mr. Floyd's life.

Chauvin also pleaded guilty to willfully depriving the then-14-year-old child of his constitutional right to be free from the use of unreasonable force by a police officer, resulting in the child's bodily injury.

"In no uncertain terms, George Floyd should be alive today," said Assistant Attorney General Kristen Clarke for the Justice Department's Civil Rights Division. "Defendant Chauvin's use of excessive force and his failure to provide medical care resulted in Mr. Floyd's senseless murder. Chauvin's unlawful actions in a separate incident also resulted in injury to a 14-year-old child. This sentence should send a strong message that the Justice Department stands ready to prosecute law enforcement officers who use deadly force without basis. While no amount of prison time can reverse the tragic consequences of Derek Chauvin's violent actions, we hope that this sentence provides some small measure of justice for the families and communities impacted."

"Derek Chauvin abandoned his sworn oath to uphold the sanctity of life when he callously took George Floyd's life and when he violently assaulted a 14-year-old child. Chauvin's actions constituted a grave abuse of police authority and a clear violation of these individuals' civil rights," said U.S. Attorney Andrew M. Luger. "To the victims, their families, and to the broader community: although the harm that Chauvin caused will never be erased, today's sentence of more than 20 years in prison represents a measure of justice and accountability."

In the plea agreement, Chauvin admitted that on May 25, 2020, he willfully violated Mr. Floyd's constitutional right to be free from an officer's use of unreasonable force. Specifically, Chauvin admitted that he held his left knee across Mr. Floyd's neck, back, and shoulder and his right knee on Mr. Floyd's back and arm. The plea agreement stated that Mr. Floyd remained restrained prone and handcuffed on the ground for approximately 10 minutes. Chauvin further admitted that he continued to use force even though he was aware that Mr. Floyd had stopped resisting, talking, and moving, and even though he was aware that Mr. Floyd had lost consciousness and a pulse. Chauvin admitted that Minneapolis Police Department (MPD) policy and training requires officers to stop using force when a subject is not resisting and to move an arrestee from the prone position into a side recovery or seated position because the prone position may make it more difficult to breathe. Chauvin admitted that his willful use of unreasonable force resulted in Mr. Floyd's bodily injury and death because his actions impaired Mr. Floyd's ability to obtain and maintain sufficient oxygen to sustain Mr. Floyd's life.

In the plea agreement, Chauvin also admitted that he willfully violated Mr. Floyd's constitutional right not to be deprived of liberty without due process of law, which includes an arrestee's right to be free from a police officer's deliberate indifference to his serious medical needs. Specifically, Chauvin admitted that he failed to render medical aid to Mr. Floyd, although he saw that Mr. Floyd was lying on the ground, in serious medical need, and although he was aware that MPD policy required him to provide emergency medical aid, including CPR, to an arrestee who needs it. Chauvin admitted that his failure to render medical aid resulted in Mr. Floyd's bodily injury and death.

Additionally, according to the plea agreement, Chauvin admitted that on Sept. 4, 2017, he willfully violated the then-14-year-old child's constitutional right to be free from an officer's use of unreasonable force. Specifically, Chauvin admitted that he held the child by the throat and struck the child multiple times in the head with a flashlight, resulting in the child's bodily injury. In the plea agreement,

Chauvin also admitted that he held his knee on the child's neck, shoulders, and upper back for between 15 and 16 minutes, even though the child was face-down on the floor, handcuffed, and not resisting. Chauvin admitted that these actions resulted in the child's bodily injury.

On Feb. 24, 2022, following a more than month-long trial, a federal jury convicted three other officers—former Minneapolis Police Officers Tou Thao, J. Alexander Kueng, and Thomas Kiernan Lane—of violating the same criminal civil rights statute. The jury found that Thao and Kueng both willfully deprived George Floyd of his constitutional rights when they failed to intervene in Chauvin's excessive force. The jury also found that Thao, Kueng, and Lane willfully deprived Mr. Floyd of his right to be free from a police officer's deliberate indifference to his serious medical needs, by seeing Mr. Floyd in clear need of medical care and willfully failing to aid him. The jury found that Thao, Kueng, and Lane's offenses resulted in Mr. Floyd's bodily injury and death. Thao, Kueng, and Lane will be sentenced separately at a future hearing.

This case was investigated by the FBI and the Minnesota Bureau of Criminal Apprehension. It was prosecuted by Special Litigation Counsel Samantha Trepel and Trial Attorney Tara Allison of the Civil Rights Division, and Assistant U.S. Attorneys Samantha Bates, LeeAnn Bell, Evan Gilead, Manda Sertich and Allen Slaughter of the U.S. Attorney's Office for the District of Minnesota.

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Wendy writes for the United States Press Agency and is a former columnist with the Fulton County Expositor, Wauseon, Ohio.

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