

Defense rests case in murder trial of Minneapolis police officer Derek Chauvin as protests continue in Brooklyn Center

Trévon Austin
15 April 2021

After calling seven witnesses in the last two days, the defense in the trial of former Minneapolis, Minnesota, police officer Derek Chauvin for the May 25, 2020, murder of George Floyd rested its case on Thursday morning. Hennepin County Judge Peter Cahill adjourned court proceedings until Monday but will resume briefly Friday to discuss how the jurors will be instructed about the law.

Shortly before the defense announced an end to its case, Chauvin announced that he was invoking his Fifth Amendment right not to testify, to not risk making any self-incriminating statements. If Chauvin testified in his defense, the prosecution would have been able to question him under oath.

The defense has maintained that Floyd died from the ingestion of fentanyl and methamphetamine, which exacerbated underlying health conditions. Additionally, defense attorney Eric Nelson argued that Chauvin's use of force was reasonable, and the group of bystanders distracted officers at the scene from properly caring for Floyd.

Barry Brodd, who has taught use of force to police in California for 35 years, was called to the stand to say Chauvin's use of force was "justified." Brodd rejected the prosecution's claim that a "prone" restraint is potentially lethal, stating that it "doesn't hurt." Brodd's testimony contrasted sharply with that of Minneapolis Police Chief Medaria Arradondo, who said Chauvin's actions were "in no way, shape or form" within department policy, training, ethics or values.

"I felt that Derek Chauvin was justified and was acting with objective reasonableness, following Minneapolis Police Department policy and current

standards of law enforcement in his interactions with Mr. Floyd," Brodd said Tuesday.

Another key witness for the defense was Dr. David Fowler, a retired forensic pathologist and former chief medical examiner for the state of Maryland. Fowler testified that Floyd's death should be classified as "undetermined" instead of a homicide because of multiple competing factors.

Fowler said he believed Floyd had a "sudden cardiac arrhythmia" while being restrained by police, due to his hypertensive heart disease and plaque build up in his arteries. Fowler also denied the argument that Floyd asphyxiated because he was pinned in a prone position.

"Positional asphyxia, as the term is used in court today, is an interesting hypothesis and unsupported by any experimental data," he said.

Both Brodd and Fowler have a history of backing the police in high-profile cases involving excessive force.

In 2018, Brodd testified that former Chicago Police Department officer Jason Van Dyke acted reasonably when he fatally shot Laquan McDonald in 2014. Police claimed McDonald was "behaving erratically" while walking down the street and refused to put down a knife he was carrying. Dash camera footage showed McDonald was walking away from officers when he was shot 16 times.

While he was chief medical examiner of Maryland, Fowler ruled that the death of Anton Black, a black teenager who was killed by police in 2018, was an accident. Black was assaulted by officers after a white woman called 911 claiming Black kidnapped a boy, who was in reality his cousin. Officers confronted Black at his mother's home where they forced him to the ground and an officer sat on top of him. Soon

thereafter Black became unresponsive and was later pronounced dead at a nearby hospital.

Nelson called other witnesses to attempt to vilify Floyd due to his opioid addiction and to support the claim that the crowd of bystanders was “unruly.”

The defense showed footage of a 2019 traffic stop when Floyd was in the passenger seat. Retired officer Scott Creighton said Floyd seemed intoxicated and incoherent, so he decided to arrest Floyd. Hennepin County Medical Center paramedic Michelle Moseng said she spoke to Floyd after he had been taken into custody, stating that he was confused, and it was hard to assess him.

Peter Chang, an officer with the Minneapolis Park Police, told jurors he came to assist officers on May 25 after hearing a radio call for backup. Chang said that the crowd that had gathered at the scene was “very aggressive” towards officers and that he “was concerned for the officers’ safety, too.”

Chauvin is charged with second-degree unintentional murder, second-degree manslaughter, and third-degree murder. He has pleaded not guilty to all the charges. The prosecution and defense will present their closing arguments on Monday before the jury is sequestered for deliberations.

About ten miles away, demonstrators gathered at the Brooklyn Center police station for the fifth night in a row Thursday to protest the killing of 20-year-old Daunte Wright. Wright was killed during a traffic stop when former officer Kim Potter allegedly mistook her gun for her Taser. Potter, charged with second-degree manslaughter, had her first procedural court appearance Thursday via Zoom after posting \$100,000 bond Wednesday.

Protests broke out Sunday shortly after Wright’s killing, prompting the deployment of riot police and National Guard troops. As part of the Operation Safety Net policing operation more than 3,000 National Guard members are stationed across the Twin Cities area.

On Tuesday night, police fired tear gas on protesters and arrested 79 people after claiming the crowd was throwing bricks and trying to tear down barricades. Officers singled out journalists at the protest, threatening them with arrest if they did not leave the area.

A larger crowd returned Wednesday night. Some protesters brought umbrellas and other shields to

protect themselves from pepper spray or tear gas. The demonstrations were reported as peaceful, with many protesters leaving early in the evening.

During the protests, officers claimed rocks and water bottles were thrown at them. The police responded by spraying protesters with pepper spray. Just after 9 p.m., police declared an unlawful assembly and issued an order to disperse. Officers subsequently deployed a barrage of tear gas canisters and began making arrests around 10:30 p.m., shortly after a curfew went into effect. No injuries were reported, but 24 protesters were arrested.



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact