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USA

The Lynching of George Floyd: Truth vs. Copaganda

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This article was written before the conclusions and the verdict.

"I CALLED THE police on the police," one eyewitness told the jury.

The prosecution opened the trial of Derek Chauvin with a 9-minute and 29-second ("929") video of the cop's knee murdering George Floyd on May 25, 2020 in Minneapolis. The Medical Examiner and other medical doctors said he was not moving minutes after the knee was placed on his neck.

The evidence by eyewitnesses and testimony by police officers, including the chief, declared that Chauvin was not following police policy and should be convicted. The Blue Wall of silence was cracked.

The top police officials' argument is that Chauvin is an exception to "good policing." African Americans and many others, on the other hand, see Chauvin as the norm of modern policing especially as it applies to Black and Brown people.

\$27 Million Civil Settlement

A few days before the trial began the Minneapolis City Council agreed, March 12, to a historic civil settlement paying the Floyd family \$27 million the largest pre-trial settlement ever. Chauvin's lawyers unsuccessfully tried to use the settlement as a reason to move the criminal trial out of Minneapolis.

The three charges against Chauvin are second-degree unintentional felony murder, third-degree "depraved mind" murder, and second-degree manslaughter.

The defense repeated its false claim that Floyd died of his heart condition and drug use. A former medical examiner from Maryland who's being sued there because of his outrageously false reports in previous police killings even said death could have been caused by carbon monoxide poisoning from car fumes, although Floyd's blood oxygen level was normal.

The aim of the defense is to get a single juror to believe Chauvin followed police procedures. They seek a hung jury, and no conviction. The defense does not have to prove innocence. Then the state's attorney general would have to decide to drop the case or have a retrial.

Not Safe to be Black

The context of the trial and the "929" video is numerous shootings by cops of unarmed Black men around the country.

During the 20-day Chauvin trial, 64 people in the United States have been killed by police half of them Black or

Brown. (New York Times, April 18)

In Chicago, just hours before the trial began on March 29, a 13-year-old Latino youth, Adam Toledo, was shot in the chest and killed by a cop. The bodycam (released after more than two weeks) shows that he was running away, was told to stop and turn around and raise his hands.

Toledo did so and was shot anyway. The cop, who has four use-of-force complaints since 2017, was put on administrative desk duty with full pay.

As the Chauvin trial was wrapping up, a killing occurred in the inner suburb Brooklyn Center of Minneapolis, 10 minutes from the courthouse.

Hundreds of demonstrators poured into the streets on multiple nights after the fatal police shooting of Daunte Wright, a 20-year-old Black man, during a traffic stop.

The officer, 26-year veteran Kimberly Potter, shot and killed Wright after a minor car violation. Her police chief claimed it was an "accident," that she intended to pull her high-powered Taser gun but instead grabbed her heavier gun.

The Taser is yellow, while the standard police gun is Black. The Taser is positioned opposite the normal shooting hand.

The next day Potter resigned with a full pension. She was charged with second-degree manslaughter, arrested, booked and released on \$100,000 bail.

As George Floyd's family says, there is no justice for Floyd since he can't be brought back to life. Accountability is the goal. A murder conviction of Chauvin can send a strong message to the police and those who back criminal actions by cops.

A bigger victory of much greater significance would be an end to modern policing and its replacement.

Abolish Qualified Immunity

A starting point is to end "qualified immunity" for police.

Policing has never been fair or equal for Black and Brown people. It is why young Blacks are given "the talk" by their parents on how to act around police.

Youth as young as 7 years old are told to fear the cops. But as the Chicago shooting of Adam Toledo shows, complying with cop orders does not mean you are safe.

The U.S. Supreme Court first introduced the qualified immunity doctrine in *Pierson v. Ray* (1967), a case litigated during the height of the civil rights movement. It gives cops immunity from civil suits unless the victim or the family is able to demonstrate that the cop "violated clearly established statutory or constitutional rights of which a reasonable

person would have known."

Who defines "reasonable"? The police and the government do.

That means a killer cop in most cases is never charged. Even when a Derek Chauvin is charged, it is not for first-degree murder.

Even when the Floyd family won its civil lawsuit for \$27 million, the cop pays nothing out of his pocket. Nor does the police budget. It is the city's taxpayers who pay.

Worst yet, the police budgets continue to grow, with more military armaments, tear gas and weapons of war. The police then deploy this force upon peaceful Black Lives and anti-police violence protesters.

Another needed immediate change is for all cops to live in the community they police. The community must have an independent board to hire and fire police.

The police "union" (a cartel) must also be dismantled so criminal cops can't be protected. The "unions" don't just bargain for wages and conditions, they "bargain" for cities giving almost all oversight of police conduct to the police themselves, usually meaning they have a green light to kill.

The police system as it is must be ended and replaced. These changes go beyond reimagining current police forces, or other democratic reforms. They represent the end of policing as it has been practiced since the time of slavery and the Jim Crow segregation era.

Police Defense: Copaganda

The Black Lives Movement that sparked the mass protests in 2020 in the United States and around the world is ready to act whenever a Black man or woman simply walking, driving or breathing is gunned down by cops.

The police counter-narrative, labeled by some as "copaganda," says that police make split-second decisions and all their actions are justifiable. Black and Brown people are seen as less than human and criminalized for existing.

"There is no political or social cause in this courtroom," the Chauvin defense lawyer told the jury. It is true that the jurors' assigned task is neither to vindicate nor to denigrate the Black Lives Matter movement.

But will the jury do their job?

As Jeannie Suk Gersen, professor of Law at Harvard University wrote:

"'You can believe your eyes,' the prosecution told the jury. 'It's murder.' That appeal to jurors' common sense comes up against the defense's suggestion that 'common sense tells you that there are always two sides to a story.' But this is a case in which the political momentousness far exceeds its legal or factual difficulty." (The New Yorker, April 10)

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The whole world watched. Until Black lives matter, no lives matter.

Source: [May-June 2021, ATC 212](#).

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