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Attorney Ben Crump, George Floyd Legal Team and Family React to Floyd Criminal Case Hearing

September 11, 2020

Nationally renowned civil rights and personal injury attorney Ben Crump, co-counsel Antonio Romanucci and the family of George Floyd attended today's criminal case hearing related to the death of Mr. Floyd at the hands of Minneapolis Police. The hearing addressed a variety of state motions including a motion for a joint trial for defendant officers, motions for a change of venue and jury sequestration, among others.

"The only overdose that killed George Floyd was an overdose of excessive force and racism by the Minneapolis Police Department. George was lucid, cooperative, obeyed commands, and had situational awareness when he died. The world witnessed his asphyxiation on video, and now defense counsel is asking us to disbelieve our own eyes. Multiple autopsies determined that he died of asphyxiation because of the officers kneeling on his back and neck. George told officers he couldn't breathe and pleaded for his life. Instead of checking his condition and rendering assistance, they increased the pressure on his neck. It is classic police defense to blame the dead and claim that suspects with any amount of drugs in their system were responsible for their own death. It's called "blame the dead," and it flies in the face of what we see with our own eyes on the video. That statement embodies the continued negative narrative used against Black men who die at the hands of the police and are later assassinated a second time when the official story line destroys their character after they are dead," said attorney Ben Crump.

"Any person who reviews the indisputable evidence from the video will walk away with a clear conviction about what caused George Floyd's death and the shameful failure of these officers to display appropriate officer conduct. When George said the first time that he could not breathe, they had a duty to check his oxygen exchange and ensure that he was breathing normally. They did not. In fact, they let him beg and plead for breath until there was none left and he was dead. They exerted deadly force on a non-violent suspect who was subdued, handcuffed and prone. Their level of force did not come close to George's force and therefore was by definition unreasonable," said co-counsel Antonio M. Romanucci.

"One of the most unfortunate aspects of today's proceeding is that there is not a 5th defendant's chair for the City of Minneapolis. While the individual officers must bear individual responsibility for their individual acts, we cannot forget the City's failure to discipline and train its officers also killed George and ruined so many lives," said attorney Jeff Storms.

“Watching our brother die on video was the most painful experience of our lives. But listening to those defending these officers blame him for his own death today felt like a knife in the heart. It shows the degree to which the justice system works to protect those in authority at our expense,” said Philonise Floyd, Mr. Floyd’s brother.

On July 15, 2020, a civil lawsuit was filed against the City of Minneapolis and the four officers involved in Mr. Floyd’s death. The lawsuit names the city as the responsible party for the Minneapolis Police Department, which the city uses to fulfill its policing functions. The defendants also include Minneapolis police officers Derek Chauvin (Chauvin), Tou Thao (Thao), Thomas Lane (Lane), and J. Alexander Kueng (Kueng). The lawsuit states they were acting in their individual capacities and/or under color of state law, and within the scope of their employment.

The federal lawsuit was filed in the United States District Court for the District of Minnesota. The plaintiff is Minnesota attorney Kaarin Nelson Schaffer, who was named trustee for the Floyd family on July 6, 2020.

Mr. Floyd died May 25, 2020, at approximately 8:00 p.m., at the 3700 block of South Chicago Avenue South in Minneapolis. He died face down in the street, handcuffed and compliant, having committed no violent crime and posing no threat to anyone. He died slowly under the weight of Minneapolis police officers Chauvin, Lane, and Kueng. While Mr. Floyd was unlawfully maintained in this dangerous prone position with Chauvin kneeling on Mr. Floyd’s neck, Thao not only idly stood by and did nothing to help Mr. Floyd, but actively prevented bystanders from intervening in the unlawful death occurring before their eyes. Mr. Floyd died begging for help, saying that he could not breathe, pleading for his life, and asking for his mother.

The complaint states Mr. Floyd was deprived, under color of state law, of his clearly established rights as secured by the Fourth and Fourteenth Amendments to the United States Constitution. The complaint is seeking compensatory and special damages and costs as defined under federal law in an amount to be determined by a jury. The complaint also asks for the appointment of a receiver or similar authority to ensure that the City of Minneapolis properly trains and supervises its police officers, and for any other additional relief that the Court believes is just and equitable.

Attorney Ben Crump, attorney Tony Romanucci, attorney Chris Stewart, attorney Justin Miller, attorney Jeff Storms, attorney Scott Masterson, Roger Floyd (brother), Philonise Floyd (brother), Terrance Floyd (brother), and Brandon Williams (cousin) addressed the media during a press conference following the hearing.

About Ben Crump Law

Nationally renowned civil rights and personal injury attorney Ben Crump and his national network of specialized attorneys have spearheaded a legal movement to better protect the rights of marginalized citizens. He has led landscape-changing civil rights cases and represented clients in a wide range of areas including civil rights, personal injury, labor and employment, class actions, and more. Ben Crump Law is dedicated to holding the powerful accountable. For more, visit BenCrump.com or call (800) 935-8111.

About Romanucci & Blandin, LLC

Romanucci & Blandin is a Chicago-based national trial practice committed to fighting for victims of negligence, abuse and wrongful death arising from police misconduct, corporate negligence, civil rights actions, medical malpractice, mass torts and class actions. Founded in 1998, the firm is widely recognized for representing plaintiffs in numerous practice areas including: workers’ compensation, pharmaceuticals, civil rights, police misconduct, excessive force, aviation, product liability and premises liability. For more information, please visit www.rblaw.net or call (312) 458-1000.

About Stewart Trial Attorneys

Atlanta-based Stewart Trial Attorneys has handled numerous high-profile wrongful death cases involving law enforcement and represents victims of police violence around the country. Led by L. Chris Stewart and Justin Miller, the firm specializes in cases involving civil rights, wrongful death, premises liability and sexual assault. The firm won the first-ever billion dollar jury verdict involving a rape victim. For more information visit www.stewarttrial.com or call (844) TRIAL-00.

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Pintas & Mullins is a national law firm, headquartered in Chicago, which has fought for the rights of the seriously injured for more than 35 years. Its practice areas include representation for the victims of environmental injustice, nursing home abuse of seniors, medical malpractice, dangerous products and drugs, and more. Through its close association with Ben Crump law, Pintas & Mullins is a passionate advocate for those without a voice against powerful interests and bad-acting corporations. For more information please visit www.pintas.com or call (800) 935-8111.

About Jacob Litigation, Inc.

Jacob Litigation, Inc. is a national civil rights law firm serving persons who have experienced police brutality, and the estates of persons who have been unlawfully killed by law enforcement personnel. Jacob Litigation is owned and operated by Attorney Devon M. Jacob, who is a former police officer and a former Pennsylvania Deputy Attorney General. For more information please visit www.jacoblitigation.com or call (717) 796-7733.

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Lewis Brisbois provides a wide-range of legal services to clients with a continuity of representation across multiple disciplines. The firm has built longstanding relationships with corporate and institutional clients based on its ability to provide comprehensive service on a national scale. Attorneys Scott Masterson of the Atlanta office along with Michelle Gilboe of the firm's Minneapolis office are working with Stewart Trial Attorneys. Information: www.lewisbrisbois.com.