



Written by [R. Cort Kirkwood](#) on May 30, 2020

## Autopsy on Floyd: Preliminary Findings Don't Support Traumatic Asphyxia or Strangulation

The criminal complaint against Minneapolis policeman Derek Chauvin, filed in connection with the death of George Floyd, says the “inherently dangerous” restraint Chauvin used on the 6-foot-7-inch suspect did not suffocate him.



Though the complaint says Chauvin pinned Floyd to the ground with a knee to the back of his neck for almost nine minutes, including some time after Floyd stopped moving, the document includes preliminary autopsy findings that say Floyd suffered multiple health problems that contributed to his death.

Floyd repeatedly resisted arrest, the complaint alleges.

Chauvin is charged with third-degree murder and second-degree manslaughter. Although the full autopsy report is pending, what the Hennepin County, Minnesota, coroner has found thus far might be enough to acquit Chauvin of the more serious charge.

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### The Complaint

The dry recitation of facts from the Hennepin County prosecutor says cops responded to the scene when Floyd tried to pass a fake \$20 to a convenience store.

It was 8:08 p.m., [the complaint says](#), when “Officers Thomas Lane and J.A. Kueng arrived with their body worn cameras (BWCs) activated and running. The officers learned from store personnel that the man who passed the \$20 was parked in a car around the corner from the store on 38th Street.”

The two cops approached Floyd’s vehicle. Lane, who was driving, “pulled his gun out and pointed it at Mr. Floyd’s open window and directed Mr. Floyd to show his hands. When Mr. Floyd put his hands in the steering wheel, Lane put his gun back in its holster.”

Lane ordered Floyd out of the car, then pulled him out. That’s when the trouble began.

“Floyd actively resisted being handcuffed,” the [complaint says](#), but “once handcuffed, Mr. Floyd became compliant and walked with Officer Lane to the sidewalk and sat on the ground at Officer Lane’s direction.”

After telling Floyd they were arresting him for passing a phony \$20 bill, the two cops “stood Mr. Floyd up and attempted to walk Mr. Floyd to their squad car.... Mr. Floyd stiffened up, fell to the ground, and told the officers he was claustrophobic.”

As Floyd resisted a second time, Chauvin and his partner, Tou Thoa, arrived.

With four cops on the scene, [Floyd continued](#) resisting arrest, according to the complaint:



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The officers made several attempts to get Mr. Floyd in the backseat of [Lane and Kueng's squad car] from the driver's side. Mr. Floyd did not voluntarily get in the car and struggled with the officers by intentionally falling down, saying he was not going in the car, and refusing to stand still. Mr. Floyd is over six feet tall and weighs more than 200 pounds.

While standing outside the car, Mr. Floyd began saying and repeating that he could not breathe. The defendant [Chauvin] went to the passenger side and tried to get Mr. Floyd into the car from that side and Lane and Kueng assisted.

The defendant pulled Mr. Floyd out of the passenger side of the squad car at 8:19:38 p.m. and Mr. Floyd went to the ground face down and still handcuffed. Kueng held Mr. Floyd's back and Lane held his legs. The defendant placed his left knee in the area of Mr. Floyd's head and neck. Mr. Floyd said, "I can't breathe" multiple times and repeatedly said, "Mama" and "please," as well. The defendant and the other two officers stayed in their positions.

The officers said, "You are talking fine" to Mr. Floyd as he continued to move back and forth. Lane asked, "should we roll him on his side?" and [Chauvin] said, "No, staying put where we got him." Officer Lane said, "I am worried about excited delirium or whatever." [Chauvin] said, "That's why we have him on his stomach." None of the three officers moved from their positions.

BWC video shows Mr. Floyd continue to move and breathe. At 8:24:24, Mr. Floyd stopped moving. At 8:25:31 the video appears to show Mr. Floyd ceasing to breathe or speak. Lane said, "want to roll him on his side." Kueng checked Mr. Floyd's right wrist for a pulse and said, "I couldn't find one." None of the officers moved from their positions.

At 8:27:24, the defendant removed his knee from Mr. Floyd's neck. An ambulance and emergency medical personnel arrived, the officers placed Mr. Floyd on a gurney, and the ambulance left the scene. Mr. Floyd was pronounced dead at Hennepin County Medical Center.

## **Autopsy and Charges**

[The complaint reports](#) that Chauvin "had his knee on Mr. Floyd's neck for 8 minutes and 46 seconds in total. Two minutes and 53 seconds of this was after Mr. Floyd was non-responsive. Police are trained that this type of restraint with a subject in a prone position is inherently dangerous."

Those facts raise the question of why Chauvin used the knee restraint for so long, particularly after Floyd stopped moving.

Whatever the answer, the complaint reported these preliminary findings that suggest Chauvin is not solely responsible for Floyd's death:

The autopsy revealed no physical findings that support a diagnosis of traumatic asphyxia or strangulation. Mr. Floyd had underlying health conditions including coronary artery disease and hypertensive heart disease. The combined effects of Mr. Floyd being restrained by the police, his underlying health conditions and any potential intoxicants in his system likely contributed to his death.

The third-degree murder charge — "perpetrating eminently dangerous act and evincing depraved mind" — carries a 25-year sentence.

The manslaughter charge — "culpable negligence creating unreasonable risk" — could get Chauvin 10 years and/or a \$20,000 fine.



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*Photo: AP Images*

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