



Written by [R. Cort Kirkwood](#) on June 26, 2021

Chauvin's 22-year, Six-month Sentence Nearly Double Guidelines. Did Judge Cave to the Mob?

American justice took a big step to the gallows Friday when Judge Peter Cahill sentenced former cop Derek Chauvin to 22-and-a-half years in prison in the "murder" of career criminal and drug addict George Floyd.

Floyd died on May 25 last year while the Minneapolis cop restrained him.

Chauvin's punishment is nearly twice that of the normal sentence for someone with no criminal record. Cahill found aggravating circumstances, all connected to the restraint Chauvin used.



Derek Chauvin (AP Images)

Cahill claimed public opinion did not affect his decision.

Pain All Around

A [jury stacked](#) with a Black Lives Matter backer, and a white woman terrified of BLM violence, convicted Chauvin of "murder" on April 20, in contradiction of the evidence. [Floyd's autopsy showed](#) that he had overdosed on fentanyl, a dangerous narcotic, and [had serious cardiovascular disease](#). It also showed Floyd did not suffer life-threatening injuries.

Before the Hennepin County judge put Chauvin behind bars for a crime he did not commit, Cahill let everyone know where he stood: with the "Floyd family," and against Chauvin.

"What the sentence is not based on is emotion or sympathy," [he intoned](#), "but at the same time I want to acknowledge the deep and tremendous pain that all the families are feeling, especially the Floyd family."

But he didn't stop there:

You have our sympathies and I acknowledge the pain that you are feeling.

It has been painful throughout Hennepin County, throughout the state of Minnesota and throughout the country, but most importantly we need to recognize the pain of the Floyd family.

"I'm not going to attempt to be profound or clever because it's not the appropriate time," the judge continued:

I am not basing my sentence also on public opinion. I am not basing it on any attempt to send any messages. The job of a trial court judge is to apply the law to specific facts and to deal with individual cases.



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Then he lowered the boom: 270 months — 22 years, six months — in state prison. The “presumptive” sentence is 150 months — 12 years, six months.

22-Page Memorandum

Cahill did not offer his reasons for the outrageous sentence in court.

[His 22-page memorandum explains](#) the “aggravating factors” that required him to sentence Chauvin, 45, to what might be a life in prison.

Cahill’s reasoning reprised what he had already found. Chauvin “abused his position of authority” in four ways:

- He restrained Floyd in a “a position that Defendant knew from his training and experience carried with it a danger of positional asphyxia” for more than nine minutes.
- Placing a knee on Floyd’s neck “was an egregious abuse of the authority to subdue and restrain” because Floyd was handcuffed. Chauvin restrained him for four minutes after he stopped talking and was unresponsive.
- Chauvin did not render aid or turn Floyd on his side, as an officer at the scene twice suggested.
- Chauvin restrained Floyd and failed to render aid after a fellow officer said he did not detect a pulse.

Thus, [Cahill concluded](#), Chauvin “was in a position to dominate and control” Floyd, which allowed Chauvin to “manipulate the circumstances and commit the crime, and stopped Floyd from defending himself.

As well, Cahill found that Chauvin treated Floyd with “particular cruelty for which the offender should be held responsible” on six grounds:

- Floyd clearly had trouble breathing.
- Floyd said he was dying because he could not breathe.
- Chauvin was indifferent to Floyd’s pleas and medical distress by refusing aid and refusing to turn him on his side;
- Floyd died only after six minutes of positional asphyxia while he was “begging for his life and obviously terrified by the knowledge that he was likely to die.”
- He restrained Floyd for more than nine minutes.
- Video showed the “prolonged nature of the asphyxiation.”

Those findings, he ruled, are “substantial and compelling” grounds for the long sentence. Chauvin’s crime “was significantly more ... serious than that typically involved in the commission of the crime[s] in question.”

Dershowitz Was Right

Alan Dershowitz, the liberal legal celebrity and Harvard professor who defended O.J. Simpson, predicted the enhanced sentence.

After Chauvin was convicted, [Dershowitz said](#) the former cop faced “life in prison The judge has some hard decisions to make. But the judge will sentence to a very substantial sentence.”

Cahill was “putting his finger up to the wind and seeing what sentence he should impose that wouldn’t



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result in all kinds of riots,” Dershowitz said:

The whole judicial system has been corrupted by identity politics and by the weaponization of the criminal justice system toward particular agendas. So, I’m not confident this judge will impose the sentence he would normally impose if the world weren’t watching.



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