



Written by [R. Cort Kirkwood](#) on September 11, 2020

Floyd Judge: Jury Can't Hear Evidence Of Floyd's Drug Addiction, Violent Crime

The district court judge in the George Floyd murder case has ruled that the four cops accused of killing the violent drug addict cannot introduce evidence of George Floyd's prior drug problems and brutal criminal past.

ABC affiliate KSTP in Minneapolis reported Friday that Judge Peter Cahill denied two motions, and ruled that the Hennepin county attorney and some of his aides cannot try the case because they are possible witnesses.



The four defendants in the case are Derek Chauvin, Thomas Lane, J.A. Kueng, and Tou Thao. On May 25, Chauvin restrained Floyd with a knee to the neck for nearly nine minutes.

Chauvin faces second-degree murder and other charges. The others are charged with aiding and abetting Chauvin.

The Ruling

The judge's ruling centered on two pieces of evidence: ne showed that Floyd had previously swallowed a drug when he was stopped by police, which ended in a hospital visit. The other detailed Floyd's brutal attack on a pregnant woman.

The overdose occurred on May 6, 2019, the [motion said](#): "At that time Mr. George Floyd was engaged in the sale and possession of large quantities of controlled substances. When approached by police he placed drugs in his mouth in an attempt to avoid arrest, and swallowed them."

And then he did what he did on May 25 when he ingested a fatal overdose of fentanyl:

When interacting with police he engaged in diversionary behavior such as crying and acted irrationally. An ambulance was called to transport Mr. Floyd to the hospital.

The facts and circumstances of Mr. Floyd's May 6, 2019 medical intervention at Hennepin County Medical Center for "accidental drug ingestion." At which time Mr. Floyd disclosed that he "snorts oxycodone daily," was hypertensive and not taking medications, took street drugs prior to admission (PTA) and while under arrest was tearful — because he was accused of selling drugs by the police and has been abusing opiates for the last year and a half.

"He did exactly the same thing," Lane's attorney said.

Defense attorneys also wanted to raise Floyd's rap sheet.

On August 9, 2007 in Harris County, Texas, the drug addict disguised himself as a water department employee to enter a woman's home.

He "forcibly entered a home to steal drugs and money. In the course of the robbery Mr. Floyd placed a



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gun on a woman's abdomen, allowed her to be pistol whipped by an accomplice and demanded drugs and money," the [motion said](#).

Floyd was convicted of aggravated robbery with a deadly weapon.

In denying both motions, the judge said the first is irrelevant. The second might come up again, KSTP reported.

Booted Off the Case

In disqualifying County Attorney Mike Freeman and others, the judge accepted the defense's argument that they "are potential witnesses due to their interviews of Hennepin County Medical Examiner Dr. Andrew Baker, regarding his autopsy of George Floyd without having a non-attorney witness present."

The judge called not including a witness "sloppy," [KSTP reported](#).

In late August, as [The New American reported](#), a memorandum detailing a conversation between Baker and the assistant county attorney, Amy Sweasy, divulged what might be evidence that exonerates the cops of the most serious if not all the charges.

Citing Floyd's autopsy, Baker said Floyd had 11 ng/ml of fentanyl in his system "This level of fentanyl can cause pulmonary edema. Mr. Floyd's lungs were 2-3x their normal weight at autopsy," the memorandum said. "That is a fatal level of fentanyl under normal circumstances."

"If Mr. Floyd had been found dead in his home (or anywhere else) and there were no other contributing factors he would conclude that it was an overdose death," the memorandum says.

Fentanyl, an opioid 50 times more powerful than heroin, is a major respiratory depressant. [Floyd began stating](#) "I can't breathe" early in his encounter with the cops and before Chauvin restrained him.

The final autopsy on Floyd, [who admitted](#) "hooping" to the cops, also found that he had serious heart disease, hypertension, and COVID-19.

KSTP also reported that jury selection will last two weeks. The trial is scheduled for four.

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R. Cort Kirkwood is a longtime contributor to The New American and a former newspaper editor.



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