



Written by [R. Cort Kirkwood](#) on July 16, 2020

Floyd Family Sues Minneapolis, Cops. Training, Policies Blamed in Death

The family of George Floyd has sued Minneapolis and the cops involved in his death on May 25.

Floyd died while former police officer Derek Chauvin restrained him by kneeling on his neck for almost nine minutes.

The lawsuit blames top police officials and the city for ignoring complaints against police and fostering the use of deadly force in non-deadly encounters with criminal suspects.

The lawsuit seeks unspecified damages.

Neck Restraint “Non-deadly”

After detailing Floyd’s death, sometimes inaccurately, the lawsuit attacks the police department’s training policies and procedures.

“MPD trained its officers that a ‘neck restraint’ was an authorized form of non-deadly force, and that a ‘chokehold’ was a form of deadly force capable of causing serious bodily injury and/or death,” the [lawsuit alleges](#).

The neck restraint requires an officer to “compress veins, arteries, nerves & muscles of the neck,” the lawsuit says, and “serious bodily injury and/or death is reasonably likely to result,” which in turns means such a restraint “as defined by MPD constitutes deadly force.”

“The Fourth Amendment prohibits the use of deadly force in non-deadly circumstances which do not pose an immediate threat of serious bodily injury and/or death,” the lawsuit claims.

Despite the claimed illegality, the lawsuit argues, “MPD’s written policies authorized the use of a deadly ‘neck restraint’ in non-deadly circumstances posing no immediate threat of serious bodily injury or death [to police].”

“MPD trained its officers that use of a ‘neck restraint’ was authorized non-deadly force which officers could use in non-deadly situations,” even though “it has long been known by the law enforcement community that the use of neck restraints on subjects can lead to death.”

[The lawsuit also alleges](#) the city had data that showed officers used neck restraints or holds 428 times in 2012, and that 14 percent of the suspects so restrained lost consciousness.

City police used the restraints unnecessarily and the police department trained the defendants to do so, the lawsuit alleges.

Federal guidelines advise against restraining suspects in a prone position, the lawsuit continues, police were well aware of those guidelines, and city policy, 18 years ago, mandated that suspects “not be left in a prone position and shall be placed on their side as soon as they are secured.”





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Listing multiple cases of what it claims were inappropriate or excessive uses of force, the [lawsuit alleges](#) that police “permitted officers to receive ‘Killology’ or ‘warrior style’ training, which teaches officers to consider every person and every situation as a potential deadly threat and to kill ‘less hesitantly.’”

The lawsuit accuses a top officer, Lt. Bob Kroll, of telling cops to “to behave aggressively, stating that MPD officers who do not receive citizen complaints are ‘low-level slugs’ who ‘[don’t] get out and investigate anything. And that’s not what we’re paying our officers to do.’”

As well, the lawsuit says, Kroll told officers that “policing should be viewed like ‘a basketball game, in that if you’re not getting any fouls, you aren’t playing hard enough.’”

The lawsuit also attacks Kroll for correctly calling Black Lives Matter a terrorist organization, and alleges that he wore a jacket with a “white power symbol.” The lawsuit does not describe the white power symbol.

Falsehoods

The lawsuit contains at least two outright falsehoods.

“Mr. Floyd did not physically resist arrest” and “complied with each of the officers’ commands as directed” the lawsuit falsely states. In fact, the [criminal complaint against Chauvin says](#) that Floyd repeatedly resisted arrest and refused to get into a police car, which can be seen on video taken of the incident.

Not surprisingly, the lawsuit does not admit that Chauvin’s restraint was not the only cause of Floyd’s death.

Though Floyd died from “cardiopulmonary arrest complicating law enforcement subdual, restraint, and neck compression,” [he had](#) myriad health problems, including “severe” coronary artery and hypertensive heart diseases, and was high on drugs, or coming down off a high, when Chauvin restrained him.

The autopsy did not find any life-threatening injuries, but instead detected fentanyl and methamphetamine in his bloodstream.

Fentanyl is a synthetic opioid pain reliever “50 to 100 times more potent than morphine,” the Centers for Disease Control says. Opioids are respiratory depressants.

Floyd complained that he couldn’t breathe *before* Chauvin pinned him to the ground.

[The transcript of police body camera footage reveals](#) that the defendants thought Floyd was stoned and asked him whether he had ingested drugs after observing white foam on his mouth.

“Yes, I was just hooping earlier,” he told the officers. “Hooping” is slang for the rectal administration of a drug.

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