Today, former Minneapolis police officers J. Alexander Kueng, Thomas Lane, and Tou Thao were convicted for willfully depriving George Floyd of his liberty without due process while acting under color of law, including by failing to provide medical aid to him as he was being murdered by fellow officer Derek Chauvin. Former officers Kueng and Thao were also convicted of depriving Mr. Floyd of his constitutional right to be free from unreasonable seizure, which includes their willful failure to intervene to stop Chauvin’s fatal use of unreasonable force against Mr. Floyd in May 2020, while acting under color of law.

In response, NAACP Legal Defense and Educational Fund, Inc. (LDF) Associate Director-Counsel Janai S. Nelson issued the following statement:

“This verdict is very significant in advancing accountability for the actions of law enforcement. Officers must know that they will be held responsible for their failure to intervene to stop the criminal acts of fellow officers. Officers must understand that it is in their own interest to interrupt violent, unconstitutional conduct committed by fellow officers, and that their duty to intervene is an affirmative obligation under the law. ‘We followed orders’ is not and never has been a defense for officers of the state who participate in the violation of human or civil rights.

“This trial has shown that officers Kueng, Lane, and Thao’s failure to intervene during the use of unreasonable force and their decisions to assist Derek Chauvin in restraining Mr. Floyd were just as devastating as affirmative acts of violence. Each of those bystander officers had a duty to save Mr. Floyd’s life, but instead exhibited a callous disregard for his humanity that cannot be forgotten or excused. The hierarchical and toxic culture of compliance in policing is in part to blame for this failure, but the sanctity of Mr. Floyd’s life was clear, and the three officers were dutybound to protect it, even from their senior officer.

“Derek Chauvin may have murdered Mr. Floyd by pressing a knee to his neck for an excruciating nine minutes and 29 seconds, but Chauvin was enabled, supported, and undeterred by the three former officers convicted today.

“As the U.S. Department of Justice’s pattern-or-practice investigation of the Minneapolis Police Department continues, we are reminded that accountability and justice in Minneapolis does not end with this trial. The DOJ’s investigation must consider whether officers’ failures to intervene are a systemic issue that contributes to a pattern or
practice of excessive force, and whether this disproportionately affects Black members of the Minneapolis community.

“We hope today’s convictions offer a measure of justice to the Floyd family and their community for their tragic loss.”

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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