

Ex-police Kueng, Thao sentenced for violating Floyd's rights

By Amy Forliti
The Associated Press

ST. PAUL, Minn. — A federal judge in late July sentenced two former Minneapolis police officers who were convicted of violating George Floyd's civil rights to lighter terms than recommended in sentencing guidelines, calling one "truly a rookie officer" and describing the other as "a good police officer, father, and husband."

U.S. District Judge Paul Magnuson sentenced J. Alexander Kueng to three years in prison and Tou Thao to 3½ years for violating Floyd's rights in the May 25, 2020 killing in which then-officer Derek Chauvin pinned Floyd's neck with his knee for more than nine minutes as the 46-year-old Black man said he couldn't breathe and eventually grew still. The killing, captured in bystander video, sparked protests worldwide and a reckoning of racial injustice.

Kueng pinned Floyd's back, Thao held back concerned bystanders, and a fourth officer, Thomas Lane, held Floyd's feet. Lane was sentenced last month to two years — also below guidelines and a sentence that Floyd's brother Philonise called "insulting" — while Chauvin was sentenced earlier to 21 years. Floyd's immediate family members did not attend the hearings in person or comment afterward.

Floyd's girlfriend, Courteney Ross, made statements at both men's sentencing hearings and said afterward that she was disappointed, particularly with Thao's sentence. It "didn't really seem to match the crime to me. I was asking for the maximum sentence," she said.

The lower sentences for Kueng, who is Black, and Thao, who is Hmong American,



SENTENCES ANNOUNCED. In this image from surveillance video, Minneapolis police officers — (from left) Tou Thao, Derek Chauvin, J. Alexander Kueng, and Thomas Lane — are seen attempting to take George Floyd into custody in Minneapolis, Minnesota on May 25, 2020. A federal judge has sentenced two of the former officers who were convicted of violating George Floyd's civil rights. (Court TV via AP, Pool, File)

his 2020 arrest on the state charges.

Magnuson again acknowledged letters supporting the former officer, including one with 744 signatures, and cited what he called Thao's "completely clean record."

"You had a difficult childhood and have done well to become a good police officer, father, and husband," the judge said.

Nekima Levy Armstrong, a civil rights attorney and activist, said the sentences were "especially light."

"This little punishment signals to other law enforcement officers that they could receive a slap on the wrist if they violate people's rights and engage in extreme abuse towards defenseless people," she said.

But Mark Osler, a professor at the University of St. Thomas School of Law and former federal prosecutor, called the sentences "groundbreaking" and noted that it's rare for officers to be held accountable for killings they didn't directly commit.

"We should hope that it has the impact of changing behavior and prodding them to intervene when a life can be saved," he said.

Osler said it's likely that Kueng and Thao will seek a plea deal on the state charges that would not exceed the federal sentence and would let them serve the sentences concurrently.

Both men are due to report to federal
Continued on page 10

raise questions about whether they would consider a plea deal or risk a state court trial on October 24, when they face counts of aiding and abetting second-degree murder and second-degree manslaughter. Lane, who is white, pleaded guilty to a state charge of aiding and abetting second-degree manslaughter and is awaiting sentencing in that case.

Federal sentencing guidelines — which judges do not have to follow — recommended 4¼ to 5¼ years for Kueng and 5¼ to 6½ years for Thao. For both men, prosecutors argued for sentences higher than that. Prosecutor Manda Sertich argued that Kueng "didn't say a word" as Floyd lay dying. Prosecutor LeeAnn Bell said Thao had "a bird's-eye view of what was going on" with Floyd, and had "years on the force" that meant he should have known better.

The federal government brought the civil rights charges against all four officers in May 2021, a month after Chauvin was convicted of murder and manslaughter in state court. They were seen as an

affirmation of the Justice Department's priorities to address racial inequities in policing, a promise made by President Joe Biden before his election. They came a week after federal prosecutors brought hate crimes charges in the killing of 25-year-old Ahmaud Arbery in Georgia and announced sweeping probes into policing in Minneapolis and Louisville, Kentucky.

Magnuson said there was no question that Kueng violated Floyd's rights by failing to get off him when Floyd became unresponsive. But he also mentioned what he called "an incredible number" of letters from other officers supporting Kueng.

"You were truly a rookie officer," Magnuson told Kueng.

At his subsequent hearing, Thao spoke for more than 20 minutes, frequently quoting from the bible as he said his arrest and time in jail led him to turn toward god, but did not directly address his actions or offer any words to Floyd's family. Thao — like Lane and Kueng — remains free on bond, but spent several weeks in jail after



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