

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Case Type: Criminal

State of Minnesota,

Plaintiff,

vs.

Derek Michael Chauvin,

J. Alexander Kueng,

Thomas Kiernan Lane,

Tou Thao,

Defendants.

**STATE'S PROPOSED JURY
INTERROGATORIES FOR
AGGRAVATING FACTORS**

Court File No. 27-CR-20-12646

Court File No. 27-CR-20-12953

Court File No. 27-CR-20-12951

Court File No. 27-CR-20-12949

On August 28, 2020, the State submitted its notice to seek an aggravated sentence and the aggravating factors. Following this Court's directive at the September 11, 2020 hearing, the State submits the following proposed Interrogatories for purposes of the aggravating factors:

1. Did the Defendant commit the crime as part of a group of at least three or more people who all actively participated in the crime?

_____ Yes _____ No

2. Did the Defendant, acting alone or with others, commit the crime in the presence of a child under the age of 18?

_____ Yes _____ No

3. Did a child under the age of 18 witness the Defendant's criminal conduct?

_____ Yes _____ No

4. How many children under the age of 18 witnessed some part of the Defendant's criminal conduct?

Number: ____

5. Was the Defendant working as a licensed police officer in uniform at the time of the commission of the crime?

____ Yes ____ No

6. Did the Defendant use his authority as a licensed police officer in uniform to facilitate the commission of the crime?

____ Yes ____ No

7. Did the Defendant, acting alone or with others, commit the crime knowing or having reason to know that George Floyd was handcuffed behind his back?

____ Yes ____ No

8. Did the Defendant, acting alone or with others, commit the crime knowing or having reason to know that George Floyd had expressed a heightened emotional and physical response to being forced into the back seat of a squad car?

____ Yes ____ No

9. Did the Defendant, acting alone or with others, commit the crime knowing or having reason to know that George Floyd was in a position that interfered with his ability to adequately breathe?

____ Yes ____ No

10. Did the Defendant, acting alone or with others, commit the crime knowing or having reason to know that George Floyd had been rendered unconscious?

____ Yes ____ No

11. Did the Defendant, acting alone or with others, commit the crime knowing or having reason to know that George Floyd had stopped breathing?

Yes No

12. Did the Defendant, acting alone or with others, commit some portion of the crime after George Floyd told the Defendant that he could not breathe?

Yes No

13. Did the Defendant, acting alone or with others, commit some portion of the crime after an eyewitness told the Defendant that George Floyd could not breathe?

Yes No

14. Did the Defendant, acting alone or with others, commit some portion of the crime after an eyewitness told the Defendant that George Floyd was dying?

Yes No

15. Did the Defendant, acting alone or with others, commit some portion of the crime after one or more of the co-defendants stated that he could not find a pulse on George Floyd?

Yes No

16. Did the Defendant, acting alone or with others, commit some portion of the crime after an eyewitness pleaded with the Defendant to help George Floyd?

Yes No

17. Did the Defendant, acting alone or with others, commit some portion of the crime after George Floyd was motionless and non-responsive?

Yes No

18. Did the Defendant, acting alone or with others, commit some portion of the crime after George Floyd stopped breathing?

Yes No

19. Did the Defendant, acting alone or with others, demonstrate a disregard for George Floyd's health during some portion of the crime?

Yes No

20. Did the Defendant, acting alone or with others, commit at least some portion of the crime after emergency medical personnel arrived to provide medical assistance to George Floyd?

Yes No

21. Did the Defendant, acting alone or with others, impede reasonable efforts by others to provide medical assistance to George Floyd?

Yes No

Dated: October 12, 2020

Respectfully submitted,

KEITH ELLISON
Attorney General
State of Minnesota

/s/ Matthew Frank
MATTHEW FRANK
Assistant Attorney General
Atty. Reg. No. 021940X

445 Minnesota Street, Suite 1400
St. Paul, Minnesota 55101-2131
(651) 757-1448 (Voice)
(651) 297-4348 (Fax)
matthew.frank@ag.state.mn.us

ATTORNEYS FOR PLAINTIFF