

**STATE OF MAINE**

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**IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-ONE**

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**JOINT RESOLUTION COMMEMORATING THE ONE-YEAR  
ANNIVERSARY OF THE DEATH OF GEORGE FLOYD**

**WHEREAS**, May 25, 2021 marked the one-year anniversary of the death of George Floyd, an African American man who was murdered while in police custody as a result of pervasive and systemic racism that cannot be dismantled without, among other things, proper redress in the courts; and

**WHEREAS**, George Floyd was a man who was a respected member of his community, a caring man with a generous heart and a loving son and father; and

**WHEREAS**, on the anniversary of his death, the family of George Floyd commemorated his death as a "Day of Enlightenment" in the hope that the world would come together and understand the plight of all Americans in their pursuit of equal justice under the law; and

**WHEREAS**, African Americans in the United States are disproportionately the victims of shootings, choke holds and other uses of excessive force by law enforcement officers; and

**WHEREAS**, the use of excessive force during an arrest or investigatory stop constitutes an unreasonable seizure under the 4th Amendment to the United States Constitution, which guarantees the right of every person in the United States to be free from unreasonable searches and seizures at the hands of law enforcement officers; and

**WHEREAS**, the use of excessive force during a period of pretrial detention constitutes the deprivation of due process under the 5th and 14th Amendments to the United States Constitution, which guarantee the right of every person in the United States to be free from arbitrary interference with the liberty of that person at the hands of law enforcement officers; and

**WHEREAS**, the use of excessive force during a term of imprisonment constitutes the use of cruel and unusual punishment under the 8th Amendment to the United States Constitution, which guarantees the right of every person in the United States to be free from cruel and unusual punishment at the hands of law enforcement officers; and

**WHEREAS**, Section 1979 of the Revised Statutes of the United States, which is also codified as 42 United States Code, Section 1983 and which is derived from the first section of the Act of April 20, 1871, commonly known as and referred to in this preamble as "the Civil Rights Act of 1871," makes liable "every person," including a police officer, corrections officer or other law enforcement officer, who, under color of law, deprives another person of civil rights; and

**WHEREAS**, the intent of the United States Congress in enacting the Civil Rights Act of 1871 was to hold state and local law enforcement officers accountable for intimidating, harming and murdering African American people in the United States after the Civil War; and

**WHEREAS**, the United States Government has established itself as a government of laws and not of men but will cease to be so if it does not furnish a viable remedy for all civil rights violations; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Special Session, pause in our deliberations to express the Legislature's strong disapproval of the use of excessive force; and be it further

**RESOLVED:** That We commemorate the one-year anniversary of the death of George Floyd and extend to all his family and friends our deepest condolences.