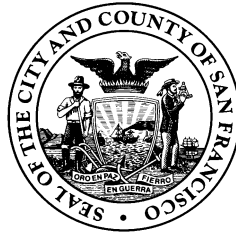


BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

May 12, 2021

The Honorable Gavin Newsom  
Governor of the State of California  
1303-10th Street, Suite 1173  
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 180-21

Dear Governor Newsom:


On April 20, 2021, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 180-21 (Supporting California State Assembly Bill No. 490 - The Angelo Quinto Act of 2021), which was enacted on April 30, 2021.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 180-21 (File No. 210402)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

Sincerely,

  
Angela Calvillo  
Clerk of the Board

jw:ll:ams

- c. Members of the Board of Supervisors, Supervisors Shamann Walton, Connie Chan, Matt Haney, Hillary Ronen, Gordon Mar, Rafael Mandelman  
Sophia Kittler, Mayor's Liaison to the Board of Supervisors  
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs  
Andres Power, Mayor's Policy Director  
Rebecca Peacock, Mayor's Office  
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

1 [Supporting California State Assembly Bill No. 490 - The Angelo Quinto Act of 2021]

2

3 **Resolution supporting California State Assembly Bill No. 490, “The Angelo Quinto Act**  
4 **of 2021,” authored by Assembly Member Mike Gibson, to prohibit law enforcement**  
5 **from authorizing techniques or transport methods that involve a substantial risk of**  
6 **positional asphyxia.**

7

8 WHEREAS, On December 23, 2020, Antioch police officers restrained Angelo Quinto,  
9 a Navy veteran from Northern California, by kneeling on his neck for over four minutes during  
10 which time Mr. Quinto lost consciousness. Angelo Quinto was transported to a nearby  
11 hospital, but never regained consciousness and died three days later; and

12 WHEREAS, On May 25, 2020, Derek Chauvin, a police officer with the Minneapolis  
13 Police Department, knelt on George Floyd's neck for 9 minutes and 29 seconds after Mr.  
14 Floyd was handcuffed and lying face down. Immediately after, Mr. Floyd entered cardiac  
15 arrest and lost his life; and

16 WHEREAS, These are just two examples out of the countless instances of police  
17 officers and other members of law enforcement dangerously and recklessly restraining  
18 individuals with no regard for their safety or wellbeing; and

19 WHEREAS, The circumstances of Angelo Quinto’s death are a stark parallel to George  
20 Floyd’s, which both exposed gray areas and loopholes in use-of-force policies; and

21 WHEREAS, As elected officials, it is our responsibility to take a hard look at our law  
22 enforcement’s use of force policies, not just locally but at a state and federal level; and

23 WHEREAS, Existing California state law authorizes a peace officer to make an arrest  
24 and use reasonable force to affect the arrest, to prevent escape, or to overcome resistance;  
25 and

1           WHEREAS, Existing California state law prohibits a law enforcement agency from  
2 authorizing the use of a carotid restraint or a choke hold, but does not specifically prohibit  
3 positional asphyxia; and

4           WHEREAS, Positional asphyxia means situating a person in a manner that  
5 compresses their airway and reduces the likelihood that they will be able to breathe normally;  
6 and

7           WHEREAS, Positional asphyxia includes, without limitation, the use of any physical  
8 restraint technique, device, or position that causes a person’s respiratory airway to be  
9 compressed or impairs the person’s breathing or respiratory capacity, including any technique  
10 in which pressure or body weight is unreasonably applied against a restrained person’s neck,  
11 torso, or back, or positioning a restrained person in a prone or supine position without proper  
12 monitoring for signs of asphyxia; and

13           WHEREAS, In-custody death is one of the great tragedies in law enforcement, and one  
14 of the most common causes is positional asphyxia; and

15           WHEREAS, Assembly Member Gibson’s bill, Assembly Bill No. 490 (AB 490) will  
16 create a uniform statewide policy to prohibit a law enforcement agency from authorizing  
17 techniques or transport methods that involve a substantial risk of positional asphyxia; and

18           WHEREAS, AB 490 is supported by the ACLU of California, the National Action  
19 Network, and the Consumer Attorneys of California; now, therefore, be it

20           RESOLVED, That the San Francisco Board of Supervisors hereby supports California  
21 Assembly Bill No. 490, “The Angelo Quinto Act of 2021,” and urges the California State  
22 Legislature to pass this bill in order to keep our communities safe from police violence; and,  
23 be it

24           FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the  
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1 Board to transmit a copy of this Resolution to the California Senate President pro Tempore  
2 Toni Atkins, California Assembly Speaker Anthony Rendon, Governor Gavin Newsom, and  
3 the Bill's primary sponsor, State Assembly Member Mike Gipson.

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# City and County of San Francisco

## Tails Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 210402

**Date Passed:** April 20, 2021

Resolution supporting California State Assembly Bill No. 490, "The Angelo Quinto Act of 2021," authored by Assembly Member Mike Gibson, to prohibit law enforcement from authorizing techniques or transport methods that involve a substantial risk of positional asphyxia.

April 20, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210402

I hereby certify that the foregoing Resolution was ADOPTED on 4/20/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned

London N. Breed  
Mayor

\_\_\_\_\_  
04/30/2021

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
04/30/2021

Date

BOARD of SUPERVISORS



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San Francisco, CA 94102-4689  
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TDD/TTY No. (415) 554-5227

May 12, 2021

The Honorable Toni G. Atkins  
California State Senator  
Senate President pro Tempore  
California State Capitol, Room 205  
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 180-21

Dear Madam President Atkins:

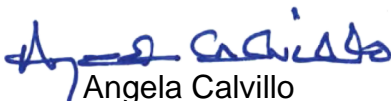
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Sincerely,

  
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Clerk of the Board

jw:ll:ams

- c. Members of the Board of Supervisors, Supervisors Shamann Walton, Connie Chan, Matt Haney, Hillary Ronen, Gordon Mar, Rafael Mandelman  
Sophia Kittler, Mayor's Liaison to the Board of Supervisors  
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs  
Andres Power, Mayor's Policy Director  
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1 [Supporting California State Assembly Bill No. 490 - The Angelo Quinto Act of 2021]

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3 **Resolution supporting California State Assembly Bill No. 490, “The Angelo Quinto Act**  
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5 **from authorizing techniques or transport methods that involve a substantial risk of**  
6 **positional asphyxia.**

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8 WHEREAS, On December 23, 2020, Antioch police officers restrained Angelo Quinto,  
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10 which time Mr. Quinto lost consciousness. Angelo Quinto was transported to a nearby  
11 hospital, but never regained consciousness and died three days later; and

12 WHEREAS, On May 25, 2020, Derek Chauvin, a police officer with the Minneapolis  
13 Police Department, knelt on George Floyd's neck for 9 minutes and 29 seconds after Mr.  
14 Floyd was handcuffed and lying face down. Immediately after, Mr. Floyd entered cardiac  
15 arrest and lost his life; and

16 WHEREAS, These are just two examples out of the countless instances of police  
17 officers and other members of law enforcement dangerously and recklessly restraining  
18 individuals with no regard for their safety or wellbeing; and

19 WHEREAS, The circumstances of Angelo Quinto’s death are a stark parallel to George  
20 Floyd’s, which both exposed gray areas and loopholes in use-of-force policies; and

21 WHEREAS, As elected officials, it is our responsibility to take a hard look at our law  
22 enforcement’s use of force policies, not just locally but at a state and federal level; and

23 WHEREAS, Existing California state law authorizes a peace officer to make an arrest  
24 and use reasonable force to affect the arrest, to prevent escape, or to overcome resistance;  
25 and

1           WHEREAS, Existing California state law prohibits a law enforcement agency from  
2 authorizing the use of a carotid restraint or a choke hold, but does not specifically prohibit  
3 positional asphyxia; and

4           WHEREAS, Positional asphyxia means situating a person in a manner that  
5 compresses their airway and reduces the likelihood that they will be able to breathe normally;  
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7           WHEREAS, Positional asphyxia includes, without limitation, the use of any physical  
8 restraint technique, device, or position that causes a person’s respiratory airway to be  
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11 torso, or back, or positioning a restrained person in a prone or supine position without proper  
12 monitoring for signs of asphyxia; and

13           WHEREAS, In-custody death is one of the great tragedies in law enforcement, and one  
14 of the most common causes is positional asphyxia; and

15           WHEREAS, Assembly Member Gibson’s bill, Assembly Bill No. 490 (AB 490) will  
16 create a uniform statewide policy to prohibit a law enforcement agency from authorizing  
17 techniques or transport methods that involve a substantial risk of positional asphyxia; and

18           WHEREAS, AB 490 is supported by the ACLU of California, the National Action  
19 Network, and the Consumer Attorneys of California; now, therefore, be it

20           RESOLVED, That the San Francisco Board of Supervisors hereby supports California  
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22 Legislature to pass this bill in order to keep our communities safe from police violence; and,  
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24           FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the  
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1 Board to transmit a copy of this Resolution to the California Senate President pro Tempore  
2 Toni Atkins, California Assembly Speaker Anthony Rendon, Governor Gavin Newsom, and  
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City and County of San Francisco  
Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 210402

Date Passed: April 20, 2021

Resolution supporting California State Assembly Bill No. 490, "The Angelo Quinto Act of 2021," authored by Assembly Member Mike Gibson, to prohibit law enforcement from authorizing techniques or transport methods that involve a substantial risk of positional asphyxia.

April 20, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210402

I hereby certify that the foregoing Resolution was ADOPTED on 4/20/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned

London N. Breed  
Mayor

\_\_\_\_\_  
04/30/2021

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
04/30/2021

Date

BOARD of SUPERVISORS



City Hall  
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San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

May 12, 2021

The Honorable Anthony Rendon  
Speaker of the California State Assembly  
California State Capitol, Room 219  
P.O. Box 942849  
Sacramento, CA 94249

Re: Board of Supervisors Resolution No. 180-21

Dear Speaker Rendon:

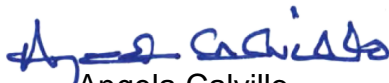
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Angela Calvillo  
Clerk of the Board

jw:ll:ams

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Sophia Kittler, Mayor's Liaison to the Board of Supervisors  
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs  
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13 Police Department, knelt on George Floyd's neck for 9 minutes and 29 seconds after Mr.  
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20 Floyd’s, which both exposed gray areas and loopholes in use-of-force policies; and

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 210402

Date Passed: April 20, 2021

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April 20, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210402

I hereby certify that the foregoing Resolution was ADOPTED on 4/20/2021 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

04/30/2021

Date Approved

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04/30/2021

Date

BOARD of SUPERVISORS



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May 12, 2021

The Honorable Mike Gipson  
California State Assembly Member  
California State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0064

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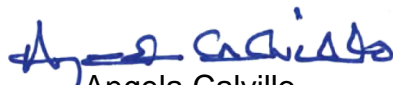
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City and County of San Francisco  
Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 210402

Date Passed: April 20, 2021

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April 20, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210402

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Angela Calvillo  
Clerk of the Board

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Unsigned

London N. Breed  
Mayor

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04/30/2021

Date Approved

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Clerk of the Board

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04/30/2021

Date