FILE NO. 220358 RESOLUTION NO.

[Supporting California State Assembly Bill No. 1608 (Gipson) - The Angelo Quinto Act of 2022: Independent Coroner's Offices]

Resolution supporting California State Assembly Bill No. 1608, authored by Assembly Member Mike A. Gipson, The Angelo Quinto Act of 2022: Independent Coroner's Offices.

WHEREAS, In December of 2020, Angelo Quinto was tragically killed by police; Angelo had been suffering from a mental health episode when his family called the police for help with de-escalating the situation; while Angelo was handcuffed, a responding officer knelt on Angelo's neck for at least four and a half minutes while another officer restrained his legs; Angelo lost and never regained consciousness -he died in a hospital three days later; and

WHEREAS, The Contra Costa County Coroner's Office ruled that Angelo's death was the result of "excited delirium;" this term is often attributed to sudden unexplained deaths of individuals while in police custody; and

WHEREAS, Angelo's death has garnered great attention and increased scrutiny on diagnoses used to shield and absolve officers from accountability; and

WHEREAS, According to a 2020 study by the Oregon Health & Science University School of Medicine, published cases of excited delirium rarely, if ever, happen independently of police involvement; and additionally, in July of 2021, the American Medical Association adopted a new policy opposing the "excited delirium" diagnosis; specifically, their position is that the "current evidence does not support 'excited delirium' as an official diagnosis," and other recognized organizations, like the National Institute of Health, note that much more research must be discovered in this area; and

WHEREAS, The blanket diagnosis has, in part, reinvigorated the need for greater transparency in the investigation medical examination process, and it has also led to a goal of eliminating potential conflicts of interest in law enforcement; and

WHEREAS, This perception of bias should be remedied by ensuring that all local death investigations are conducted independently and objectively by an independent Medical Examiner or Coroner's Office that is separate from the Sheriff's Office; and

WHEREAS, All 58 counties in California have a sheriff's department, but only ten counties have a separate coroner or medical examiner's office; and

WHEREAS, Currently, state law does not require a sheriff to have any medical background or certification to assume the duties of a coroner, and California is only one of three states that allows counties to combine the offices of the coroner and sheriff, which increases the potential for conflicts of interest in law enforcement handling the duties of the coroner; and

WHEREAS, San Francisco has already separated the duties of the coroner from the sheriff, as have Los Angeles and San Diego; these coroners are independent medical examiners who are required to be licensed physicians and surgeons duly qualified as specialists in pathology; and

WHEREAS, Section 24304.1. of the Government Code permits County Boards of Supervisors to consolidate the duties of certain county offices, including, but not limited to the sheriff and the coroner; and

WHEREAS, Currently, state law does not require a sheriff to have any medical background or certification to assume the duties of a coroner, in contrast to independent medical examiners who are required to be licensed physicians and surgeons duly qualified as specialists in pathology; and

WHEREAS, A consistent statewide policy towards independent coroner's offices would help to ensure that medical examinations and investigations of sudden, violent, or unexplained/suspicious deaths are conducted objectively; and

WHEREAS, California State Assembly Bill No. 1608 would separate the duties of the coroner from the duties of the sheriff, strengthening the medical examination process, thereby eliminating perceived and actual conflicts of interest and increasing accountability and transparency when determining the cause of death; now, therefore, be it

RESOLVED, That the Board of Supervisors expresses its support for California State Assembly Bill 1608 (Gipson), and respectfully requests the California Legislature pass and Governor Gavin Newsom sign California State Assembly Bill No. 1608 into law; and, be it

FURTHER RESOLVED, That copies of this Resolution will be sent to the Office of Assembly Member Mike A. Gipson, along with a copy of the support letter referenced below; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall submit a copy of the letter of support and copy of the enacted Resolution for California State Assembly Bill No. 1608 to the Office of Assembly Member Mike A. Gipson.