



# LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

## SACRAMENTO LEGISLATIVE OFFICE

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June 13, 2022

The Honorable Mike Gipson  
California State Assembly  
1021 O Street, Suite 8110  
Sacramento, CA 95814

### **ASSEMBLY BILL 1608 (GIPSON and WEBER) SUPPORT**

Dear Assembly Member Gipson:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 1608.

AB 1608 removes the authority of a county board of supervisors to combine the duties of the sheriff with the duties of the coroner.

The responsibility of the coroner under California state law is to investigate all unnatural deaths, deaths where the medical doctor is unable to state a cause of death as well as cases where the deceased person has not seen a doctor twenty days prior to death. The coroner is tasked with identifying the deceased; determining the place, date, and time of death; and the cause and classification of death. Coroners also interview family and other witnesses, collect physical evidence, and safeguard personal property found at the scene.

The sheriff performs the duties of the coroner in 48 of the state's 58 counties. Existing law authorizes a county to abolish the office of coroner and instead appoint a medical examiner to carry out the coroner's duties. Regardless of whether a county has a medical examiner, separate coroner, or sheriff-coroner, a medical professional always performs the forensic autopsy to determine the cause of death.

The duality of Sheriff-Coroners can present a conflict of interest. While a medical examiner determines a subject's cause of death, the sheriff possesses final say in determining a subject's manner of death.

An example of this conflict of interest occurred in San Joaquin County. A lawsuit was filed in 2018 in San Joaquin County alleging the sheriff's department changed an autopsy report at the center of a police excessive-force case. The year before, two pathologists resigned from the office and alleged that the sheriff changed the manner of death in autopsy reports without their knowledge. The pathologists called for a split of the offices so that the independence of the

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coroner could be guaranteed. The San Joaquin County Board of Supervisors ultimately voted to replace the coroner's office with a medical examiner.

More recently, in December 2020, Angelo Quinto died in police custody while suffering a mental health episode. Quinto's family alleged that a responding officer knelt on Angelo's neck for nearly five minutes while another officer restrained his legs, causing Angelo to lose consciousness. He later died in the hospital. The Contra Costa County's Coroner Office, which is combined with its Sheriff's office, ruled the cause of Angelo's death was a result of "excited delirium." This diagnosis is controversial as the term is generally attributed to sudden unexplained deaths of individuals while in police custody, which may be used as a justification for excessive police force.

According to the California Medical Association, "All 58 counties in California have a sheriff's department, but only ten counties have a separate coroner or medical examiner's office. Currently, state law does not require a sheriff to have any medical background or certification to assume the duties of a coroner. California is also only one of three states that allow the combination of the offices of the coroner and sheriff, which perpetuates the real and perceived conflict of interest in law enforcement handling the duties of the coroner."

The fact that California is one of just three states that allow the Offices of the Sheriff and Coroner to be combined shows that this relationship is no longer viewed as appropriate. While there are budget savings with the combined model, the potential for real and perceived conflicts of interest are very real. Conflicts of interest contribute to the distrust of the criminal justice system. It does not matter if these conflicts of interest are real or just perceived.

Los Angeles County operates separate departments for the sheriff and coroner and there are no issues with the ability of either to function independently. A statewide policy of having independent coroner's offices will help ensure that medical examinations and investigations of sudden, violent, or unexplained/suspicious deaths are conducted objectively.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,



GEORGE GASCÓN  
District Attorney

cc: Assembly Member Weber