



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE SACRAMENTO LEGISLATIVE OFFICE

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May 26, 2023

The Honorable Aisha Wahab
Senate Public Safety Committee, Chair
1020 N Street, Room 545
Sacramento, CA 95814

ASSEMBLY BILL 360 (GIPSON) SUPPORT Senate Public Safety Committee

Dear Senator Wahab:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 360 (Gipson).

AB 360 defines "excited delirium" as "a state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain." AB 360 prohibits the recognition of "excited delirium" as a valid medical diagnosis or cause of death. AB 360 prohibits a government entity, employee, or contractor from acknowledging "excited delirium" as a recognized medical diagnosis or cause of death and prohibits a coroner or medical examiner from listing "excited delirium" as the underlying cause on a death certificate or in any report. Finally, AB 360 would also prohibit a peace officer from using the term "excited delirium" to describe an individual in a police report.

Excited delirium is a controversial diagnosis as it lacks a consistent definition and is generally attributed to sudden unexplained deaths of individuals while in police custody, which may be used as a justification for excessive police force. For example, it was relied on by the defense for former Minneapolis police officer Derek Chauvin as a contributing factor in George Floyd's death.

In 2021 the American Medical Association formally opposed excited delirium as a valid medical diagnosis. Likewise, Physicians for Human Rights takes the position that "excited delirium" is a descriptive term of multiple signs and symptoms, not a medical diagnosis, and accordingly should not be cited as a cause of death. Excited delirium is likewise not listed in the World Health Organization's International Classification of Diseases nor the Diagnostic and Statistical Manual of Mental Disorders (DSM-5) which are considered standard for medical diagnoses around the world.

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It is clear that the medical community does not recognize excited delirium as a valid medical diagnosis. As such it should not be used by law enforcement or by coroners and medical examiners as a cause of death on a death certificate or autopsy report.

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,

A handwritten signature in blue ink, appearing to read "Gascón", written in a cursive style.

GEORGE GASCÓN
District Attorney