



Legislation Details (With Text)

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Title: CONSIDERATION OF RESOLUTION NO. 21-057 IN SUPPORT OF ASSEMBLY BILL 490 - THE ANGELO QUINTO ACT OF 2021, SEEKING TO BAN THE USE OF POSITIONAL ASPHYXIA RESTRAINTS STATEWIDE BY LAW ENFORCEMENT (CITY COUNCIL)
Sponsors:
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Attachments: 1. AB 490, 2. RESO NO. 21-057

Date	Ver.	Action By	Action	Result
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Report to Mayor and City Council

Tuesday, May 04, 2021

Consent

SUBJECT:

CONSIDERATION OF RESOLUTION NO. 21-057 IN SUPPORT OF ASSEMBLY BILL 490 - THE ANGELO QUINTO ACT OF 2021, SEEKING TO BAN THE USE OF POSITIONAL ASPHYXIA RESTRAINTS STATEWIDE BY LAW ENFORCEMENT (CITY COUNCIL)

I. SUMMARY

This agenda item is being presented to the City Council at the request of Councilmember Jawane Hilton.

The City Council previously supported Assembly Bill 1196 (Gipson) to “Eliminate the use of Carotid Artery Restraints Statewide by Law Enforcement,” which was passed by the State Legislature and signed into law by Governor Gavin Newsome on September 30, 2020.

Assembly Bill 490 (Gipson) seeks to ban the use of Positional Asphyxia restraints statewide by law enforcement.

II. RECOMMENDATION

WAIVE further reading and ADOPT Resolution No. 21-057, "A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF CARSON, CALIFORNIA IN SUPPORT OF ASSEMBLY BILL 490 - THE ANGELO QUINTO ACT OF 2021, SEEKING TO BAN THE USE OF POSITIONAL ASPHYXIA RESTRAINTS STATEWIDE BY LAW ENFORCEMENT"

III. ALTERNATIVES

TAKE another action that Council deems appropriate.

IV. BACKGROUND

On December 23, 2020, a Navy Veteran, Angelo Quinto was going through an episode of paranoia when his family called the Antioch Police Department to respond to a mental health crisis. The family states that a responding Officer knelt on Mr. Quinto's neck for nearly five minutes while another Officer restrained his legs. Mr. Quinto lost consciousness and was taken by ambulance to a hospital, where he died three days later.

Angelo Quinto suffered from depression most of his life, but his behavior changed after an apparent assault in early 2020, when he woke up in a hospital not remembering what had happened and with stitches and serious injuries. After that, he began having episodes of paranoia and anxiety according to the family attorney.

The circumstances of Angelo Quinto's death are a glaring parallel to George Floyd's, with the technique used by law enforcement on Floyd also being a "knee-to-neck" restraint, encompassed by the larger term "positional asphyxia." While current statewide use-of-force policy now prohibits law enforcement from using any type of chokehold, including the carotid restraint, it does not explicitly address using a "personal body weapon" like a knee on a suspect's neck.

AB 490 will create a uniform statewide policy on positional asphyxia restraints, which encompasses the knee-to-neck technique, to ensure that they can no longer be improperly applied on Californians.

V. FISCAL IMPACT

N/A

VI. EXHIBITS

1. AB 490 (Pg. 3)

2. Resolution No. 21-057 (Pgs. 4-5)

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