

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**  
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.**

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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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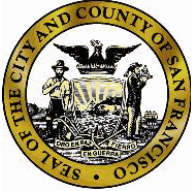
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City and County of San Francisco

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

Tails
Resolution

File Number: 210402

Date Passed: April 20, 2021

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.

[Handwritten signature of Angela Calvillo]

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.

[Handwritten signature of Angela Calvillo]

Angela Calvillo
Clerk of the Board

04/30/2021

Date