



Training Bulletin

SANTA BARBARA POLICE DEPARTMENT



Kelly Gordon, Chief of Police

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AB 360: Excited Delirium

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Background

The term “excited delirium” has recently been controversial in the medical community, with a number of professional medical and academic organizations publicly stating that they do not recognize or endorse “excited delirium” as a valid medical diagnosis. On 10/08/2023, Governor Gavin Newsom signed AB 360 into law. This bill amended sections 24400 to 24403 of the Health and Safety Code to include: (1) a prohibition against “excited delirium being used as a valid medical diagnosis in California, (2) a prohibition against listing “excited delirium” as a cause of death, (3) a prohibition against any peace officer or other government entity or contractor from using the term “excited delirium” in any official communication, and (4) a prohibition for any peace officer from using the term “excited delirium” in any incident report. In addition, AB 360 also added section 1156.5 to the Evidence Code, which states that the diagnosis or label of “excited delirium” is inadmissible in any civil action.

This law takes effect on January 1, 2024.

Procedure

Officers shall document the subject’s demeanor, conduct, physical or mental condition, and aggression/level of resistance. **Documentation of the subject’s conduct and the Officer’s observations are allowed under the law** and will serve to describe the encounter without giving a specific medical diagnosis.

Officers shall not use the term “excited delirium” in any report or official communication. Other prohibited terms, as specified by 24400 H&S, are excited delirium syndrome, excited delirium, hyperactive delirium, agitated delirium, and exhaustive mania.