

**Subject** Prohibiting the use of “excited delirium” and similar terms to describe the mental health status of persons by law enforcement

**Authors** Hanson, J.

**Analyst** Ben Johnson (ben.johnson@house.mn.gov)

**Date** March 18, 2024

## Overview

The term “excited delirium” was first used by the Deputy Medical Examiner of Miami-Dade County in Florida, Dr. Charles Wetli, in the 1980s when 19 Black women who were prostitutes were found dead with small amounts of cocaine in their system. He asserted that the women died from sexual excitement while on cocaine. His boss, the Chief Medical Examiner, Joseph Davis, reviewed the files and determined that all of the women had been murdered. The deaths were connected to a serial killer who murdered as many as 32 women.

The Deputy Medical Examiner continued to use the term and published an article promoting the use of “excited delirium” as a cause of death when people have stimulants in their system. The article examined the deaths of six men and one woman, all of whom were Black and all of whom died in police custody after being hog-tied or put in a hobble restraint in a prone position. When explaining why the majority of the deaths he attributed to excited delirium involved Black men and women, he posited that the cause “may be genetic.”

The use of the term “excited delirium” increased and spread from the 1990s until approximately 2020.

In 2021, the American Medical Association issued a statement noting that there is no clear diagnostic criteria associated with the term and that the term is not a recognized classification. The American Psychiatric Association also issued a statement that year emphasizing that the term is not clear and is not a recognized diagnosis. A leading medical examiners group publicly came out against the use of the term in early 2023. The American College of Emergency Physicians had previously issued a position in favor of the use of the term, but withdrew their support for it in October 2023. The medical community generally encourages physicians and others to identify specific actions and conditions that have been

observed and to record those instead of using an undefined term such as “excited delirium.”

This bill prohibits the use of “excited delirium” and similar terms as a medical diagnosis or cause of death. It prohibits peace officers from using the term in official reports or as a defense in an incident involving the use of force. It prohibits training courses for peace officers that use the term.

## Summary

Section	Description
1	<b>Definitions.</b> Defines the term “excited delirium” for purposes of the health care bill of rights.
2	<b>Appropriate health care.</b> Establishes that “excited delirium” and similar terms are not recognized as a valid medical diagnosis or cause of death and prohibits the use of those terms on a death certificate or any similar report.
3	<b>Autopsies.</b> Defines the term “excited delirium” for purposes of the section on autopsies. Prohibits a coroner, medical examiner, physician, physician assistant, or advance practice registered nurse from using the term “excited delirium” or any similar term on a death certificate.
4	<b>Excited delirium.</b> Defines the term “excited delirium” and establishes that excited delirium must not be a defense for the use of force or included in any incident reports or other law enforcement documentation.
5	<b>Training in excited delirium and similar terms prohibited.</b> Defines the term “excited delirium.” Prohibits the Peace Officer Standards and Training Board (POST Board) from granting continuing education credit to a course that includes training on the detection or use of the term excited delirium, prohibits the board from reimbursing a law enforcement agency for a course that includes such training, and prohibits law enforcement agencies from providing any course to peace officers that includes training on excited delirium.



**MN HOUSE  
RESEARCH**

*Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.*

[www.house.mn.gov/hrd](http://www.house.mn.gov/hrd) | 651-296-6753 | 155 State Office Building | St. Paul, MN 55155