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Physicians for
Human Rights

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The Working Group of Experts on People of African Descent
OHCHR-UNOG
8-14 Avenue de la Paix
1211 Geneve 10, Switzerland

Dear Ms. Day, Dr. Namakula, Ms. Reynolds, Ms. Ekiudoko, and Mr. Raj,

I am writing on behalf of Physicians for Human Rights (PHR) to share our new report, “[Excited Delirium’ and Deaths in Police Custody: The Deadly Impact of a Baseless Diagnosis.](#)” We would welcome the chance to discuss our findings and recommendations on “excited delirium” and deaths in police custody in the United States with your office in the coming weeks.

As a global human rights organization that works at the intersection of medicine, science, and law, PHR undertook this investigation to evaluate the origins, history, current use, and validity of the concept of “excited delirium” as a diagnosis and cause of death. The report traces the evolution of the term from the 1980s, when it was first coined by Dr. Charles Wetli in case reports on cocaine intoxication and then later wrongly used to explain the deaths of more than 17 Black women sex workers in Miami, Florida. Wetli’s grave mischaracterization of these murders – and the racism and misogyny that informed his continued promotion of Black male death from cocaine-related delirium – should have discredited this theory, but instead the use of the term “excited delirium” grew. It has since become a catch-all explanation for many deaths occurring in the context of law enforcement restraint, often coinciding with substance use or mental illness, and disproportionately used to explain the deaths of Black men in police encounters. Indeed, according to one study, nearly 60 percent of deaths that occur in police custody that are attributed to “excited delirium” involve Black and Latinx victims.¹

PHR’s report finds that “excited delirium” is not a valid, independent medical or psychiatric diagnosis and should not be used by clinicians, attorneys, or law enforcement. As the report details, the concept of “excited delirium” is scientifically meaningless because of the lack of consensus or rigorous evidentiary basis behind it. Moreover, many of the studies that have been used to support the diagnosis have serious methodological deficiencies and are laden with conflicts of interest with law enforcement and TASER/Axon, a leading manufacturer of law enforcement weaponry, including the “Taser” line of electroshock weapons marketed as so-called “less-lethal,” “stun” weapons.

In the report, PHR recommends that UN human rights mechanisms, as a function of state reporting and international oversight, study and report on the use of “excited delirium” worldwide to trace the geographic scope of the term’s use as an explanation for deaths in custody and its implications for human rights. This is particularly pressing as, increasingly, the term has been exported from the U.S. to other countries – Australia, Canada, and the United Kingdom, among others.

This report also builds on other recent PHR investigations of law enforcement excessive force in the United States that may be of interest to your office:

- In the summer of 2020, PHR investigated widespread police misuse of crowd control weapons against the public in the context of Black Lives Matter demonstrations following George Floyd’s murder. Our multimedia exposé “[Shot in the Head.](#)” produced with partners at the University of California, Berkeley, documented 115 cases of injuries to the head and neck from police using kinetic impact projectiles (KIPs) against protestors across the country.
- After New York City police trapped and attacked demonstrators at a June 2020 protest in the Mott Haven neighborhood of the Bronx, PHR produced a case study showing how police used unlawful and excessive force against peaceful protestors, medics, and others, published as “[A](#)

¹ https://www.virginialawreview.org/wp-content/uploads/2021/12/Obasogie_Book_107.pdf

[Targeted Attack on the Bronx: Police Violence and Arrests of Health Workers at a New York City Protest.](#)

- In July 2020, when the Trump administration sent federal forces to Portland, Oregon against the wishes of the state government, PHR deployed a rapid response team to document local and federal forces' brutal violence against largely peaceful protestors, as well as those who came to their aid. Our report, "['Now they seem to just want to hurt us.': Dangerous Use of Crowd-control Weapons against Protestors and Medics in Portland, Oregon.](#)" found that law enforcement's use of crowd-control weapons and obstruction of medical care at the protests caused severe injuries and psychological trauma to both medics and protestors.
- PHR worked with the Bronx Defenders, a legal assistance nonprofit organization representing 23 protestors who were detained and arrested by the NYPD at the same June 2020 protest in the Bronx, to conduct an [independent assessment](#) of the physical and psychological impact of the police violence on individual and community levels. In April 2021, PHR's findings were published in an expert statement. This statement was later used as evidence in the Bronx Defenders' innovative advocacy campaign for the New York City Comptroller, which resulted in the establishment of a community reparations fund to address physical and mental harms and community trauma in Mott Haven.

I hope that these publications may be of use to your office, and if it would be of interest, I would welcome the opportunity to discuss the findings and recommendations from these recent PHR investigations with you in greater detail. Please feel free to contact me at your earliest convenience.

Sincerely,



Christian De Vos
Director of Research and Investigations
Physicians for Human Rights