

911 Good Samaritan Laws: Preventing Overdose Deaths, Saving Lives

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Overdose Deaths: A Growing National Crisis

Overdoses nationwide nearly tripled between 1999 and 2009.¹ In 2010, 38,329 people died from drug overdoses, resulting in more deaths than either HIV/AIDS or homicide.² Significant federal funding is directed toward preventing HIV/AIDS and homicide, but virtually no federal dollars are designated for overdose prevention.

Overdose has now surpassed motor vehicle accidents as the leading cause of injury-related death in the U.S.³

Nationally, more overdose deaths are caused by prescription drugs *than all illegal drugs combined*.⁴ Legal prescription opiates, such as Oxycontin and Vicodin, are driving the increase in overdose deaths nationwide. For more than a decade, prescription opiate overdose deaths have outnumbered both heroin and cocaine overdose deaths.⁵ Middle-aged Americans and young adults are the hardest hit by the overdose crisis. The Centers for Disease Control and Prevention (CDC) reports that in 2010 “the highest death rates were among people 45-49 years of age,” and that more people aged 25 to 64 died of drug overdose than in motor-vehicle accidents.⁶ Additionally, drug overdose is the number two injury-related killer among young adults ages 15-34.⁷ Moreover, as states have attempted to restrict access to opioids, some opioid-dependent people may be switching from prescription painkillers to heroin.⁸

The tragedy is that many of these deaths could have been prevented.

“Every day in the United States, 105 people die as a result of drug overdose.”

– Centers for Disease Control and Prevention (CDC), 2013.⁹

Good Samaritan 911 Laws: A Practical Solution That Can Save Lives

The chance of surviving an overdose, like that of surviving a heart attack, depends greatly on how fast one receives medical assistance. Witnesses to heart attacks rarely think twice about calling 911, but witnesses to an overdose often hesitate to call for help or, in many cases, simply don't make the call. The most common reason people cite for not calling 911 is fear of police involvement.¹⁰ People using drugs illegally often fear arrest, even in cases where they need professional medical assistance for a friend or family member. The best way to encourage overdose witnesses to seek medical help is to exempt them from criminal prosecution, an approach often referred to as 911 Good Samaritan immunity laws.

Risk of criminal prosecution or civil litigation can deter medical professionals, drug users and bystanders from aiding overdose victims. Well-crafted legislation can provide simple protections to alleviate these fears, improve emergency overdose responses, and save lives.

Multiple studies show that most deaths actually occur one to three hours after the victim has initially ingested or injected drugs.¹¹ The time that elapses before an overdose becomes a fatality presents a vital opportunity to intervene and seek medical help.

However, “It has been estimated that only between 10 percent and 56 percent of individuals who witness a drug overdose call for emergency medical services, with most of those doing so only after other attempts to revive the overdose victim (e.g., inflicting pain or applying ice) have proved unsuccessful.”¹²

Furthermore, severe penalties for possession and use of illicit drugs, including state laws that impose criminal

charges on individuals who provide drugs to someone who subsequently dies of an overdose, only intensify the fear that prevents many witnesses from seeking emergency medical help.¹³

Good Samaritan immunity laws provide protection from prosecution for witnesses who call 911. Laws encouraging overdose witnesses and victims to seek medical attention may also be accompanied by training for law enforcement, EMS and other emergency and public safety personnel.¹⁴ Indeed, a recent survey of law enforcement officers "indicated a desire to be more involved in overdose prevention and response, suggesting the potential for broader law enforcement engagement around this pressing public health crisis."¹⁵

Such legislation does not protect people from arrest for other offenses, such as selling or trafficking drugs. This policy protects only the caller and overdose victim from arrest and prosecution for simple drug possession, possession of paraphernalia, and/or being under the influence.

The policy prioritizes saving lives over arrests for possession.

A Growing National Movement to Prevent Overdose Fatalities

In State Legislatures: In 2007, New Mexico was the first state in the nation to pass 911 Good Samaritan legislation. Since then, thirteen more states – California, Colorado, Connecticut, Delaware, Florida, Illinois, Massachusetts, New Jersey, New York, North Carolina, Rhode Island, Vermont and Washington State – as well as the District of Columbia – have passed such laws.

Initial results from an evaluation of Washington State's Good Samaritan law, adopted in 2010, found that:

- police officers and paramedics were largely unaware of the law;
- although drug arrests were rare at the scene of an overdose, more than one-third of police officers still felt it was important that they enforce drug laws in such circumstances – suggesting the need for continued training, education and collaboration with law enforcement and other public safety personnel;
- however, 14 percent of officers reported that they would be less likely to arrest an overdose victim or witness after learning about the law; and

- 88 percent of people who use opioids said they would be more likely, and less afraid, to call 911 in the event of a future overdose.¹⁶

US Conference of Mayors: In 2008, the United States Conference of Mayors unanimously adopted a resolution calling for 911 Good Samaritan policies that could save thousands of lives by encouraging immediate medical intervention for drug overdoses before they become fatal.¹⁷

On College Campuses: Today, 911 Good Samaritan policies are in effect on over 90 U.S. college campuses. Such policies have been proven to encourage students to call for help in the event of an alcohol or other drug overdose.¹⁸

¹ National Center for Health Statistics Centers for Disease Control and Prevention, "Compressed Mortality File 1999-2009. C.D.C. Wonder Online Database, Compiled from Compressed Mortality File 1999-2009 Series 20 No. 20," (Washington, DC: Centers for Disease Control and Prevention, 2012).

² Center for Disease Control and Prevention (CDC), "Drug Overdose in the United States: Fact Sheet,"

<http://www.cdc.gov/homeandrecreationalafety/overdose/facts.html>.

³ C. M. Jones, K. A. Mack, and L. J. Paulozzi, "Pharmaceutical Overdose Deaths, United States, 2010," *JAMA* 309, no. 7 (2013).

⁴ *Ibid.*

⁵ *Ibid.*; L. J. Paulozzi, "Prescription Drug Overdoses: A Review," *J Safety Res* 43, no. 4 (2012); L. J. Paulozzi, D. S. Budnitz, and Y. Xi, "Increasing Deaths from Opioid Analgesics in the United States," *Pharmacoepidemiol Drug Saf* 15, no. 9 (2006).

⁶ Center for Disease Control and Prevention (CDC), "Drug Overdose in the United States: Fact Sheet".

⁷ CDC, "20 Leading Causes of Death, United States, 2006, All Races, Both Sexes."

⁸ K. Michelle Peavy et al., "'Hooked on' Prescription-Type Opiates Prior to Using Heroin: Results from a Survey of Syringe Exchange Clients," *Journal of Psychoactive Drugs* 44, no. 3 (2012); R. A. Pollini et al., "Problematic Use of Prescription-Type Opioids Prior to Heroin Use among Young Heroin Injectors," *Subst Abuse Rehabil* 2, no. 1 (2011).

⁹ Center for Disease Control and Prevention (CDC), "Drug Overdose in the United States: Fact Sheet".

¹⁰ Peter J. Davidson et al., "Witnessing Heroin-Related Overdoses: The Experiences of Young Injectors in San Francisco," *Addiction* 97, no. 12 (2002); K. C. Ochoa et al., "Overdosing among Young Injection Drug Users in San Francisco," *Addict Behav* 26, no. 3 (2001); Robin A. Pollini et al., "Response to Overdose among Injection Drug Users," *American journal of preventive medicine* 31, no. 3 (2006); M. Tracy et al., "Circumstances of Witnessed Drug Overdose in New York City: Implications for Intervention," *Drug Alcohol Depend* 79, no. 2 (2005).

¹¹ Peter J. Davidson et al., "Witnessing Heroin-Related Overdoses: The Experiences of Young Injectors in San Francisco."

¹² M. Tracy et al., "Circumstances of Witnessed Drug Overdose in New York City: Implications for Intervention."

¹³ C. J. Banta-Green et al., "Police Officers' and Paramedics' Experiences with Overdose and Their Knowledge and Opinions of Washington State's Drug Overdose-Naloxone-Good Samaritan Law," *J Urban Health* 10.1007/s11524-013-9814-y(2013).

¹⁴ Traci C. Green et al., "Law Enforcement Attitudes toward Overdose Prevention and Response," *Drug and Alcohol Dependence* 133, no. 0 (2013); C. J. Banta-Green et al., "Police Officers' and Paramedics' Experiences with Overdose and Their Knowledge and Opinions of Washington State's Drug Overdose-Naloxone-Good Samaritan Law."

¹⁵ Traci C. Green et al., "Law Enforcement Attitudes toward Overdose Prevention and Response."

¹⁶ Banta-Green CJ et al., "Washington's 911 Good Samaritan Drug Overdose Law - Initial Evaluation Results," (Alcohol & Drug Abuse Institute, University of Washington, 2011); C. J. Banta-Green et al., "Police Officers' and Paramedics' Experiences with Overdose and Their Knowledge and Opinions of Washington State's Drug Overdose-Naloxone-Good Samaritan Law."

¹⁷ U.S. Conference of Mayors, "Saving Lives, Saving Money: City-Coordinated Drug Overdose Prevention" (presented at the U.S. Conference of Mayors 76th Annual Meeting, Miami, June 20-24 2008).

¹⁸ Deborah K. Lewis and Timothy C. Marchell, "Safety First: A Medical Amnesty Approach to Alcohol Poisoning at a U.S. University," *International Journal of Drug Policy* 17, no. 4 (2006).