

**НВ**

**400**



# **Representative Beth Kerttula**

**House Minority Leader**

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**DATE:** April 3, 2008

**TO:** Senator Hollis French  
Chair, Senate Judiciary Committee

**FROM:** Representative Beth Kerttula

A handwritten signature in black ink that reads "Beth Kerttula".

**RE:** House Bill 400 Mitigating Factor: Care For Drug Overdose

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**I respectfully request that the Senate Judiciary Committee schedule House Bill 400 Mitigating Factor: Care For Drug Overdose for a hearing.**

**Please find attached:**

- House Bill 400
- Fiscal Note
- Sponsor statement
- Support testimony

**Thank you for your consideration. If you have any questions, please do not hesitate to call me or my aide, Aurora Hauke (x5051).**



# **Representative Beth Kerttula**

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**House Minority Leader**

## **House Bill 400**

### **Mitigating Factor: Care for Drug Overdose**

#### **Sponsor Statement**

Substance abuse is a prevalent problem in Alaska, where we have higher rates of use of controlled substances and deaths from overdoses than the national average. Approximately 85 people die each year from drug overdoses in Alaska. Many times deaths from drug overdoses may be preventable by a single 911 call that is not made because the people who are witnessing the overdose are afraid of being arrested themselves.

House Bill 400 addresses this problem by allowing a mitigating factor in sentencing for crimes involving controlled substances if the defendant sought medical assistance for another person who is experiencing a drug overdose.

**Testimony of Angela Hull given to House Judiciary Committee February 25, 2008**

**Madame Chair, members of the committee, my name is Angela Hull and I am here as a concerned citizen. I would like to thank you for allowing me the opportunity to address you this afternoon.**

**On March 26, 2007 my 27-year-old daughter, Selene Marhya Wolthausen, was at her home with two other adults and they were all using drugs. This wasn't the way my daughter was raised, but the truth of the matter is – although none of us raise our children to become substance abusers, all too often they do. Sadly, Selene overdosed. Sadder still - neither one of the other two adults called 911.**

**When my 4-year-old granddaughter came in the house and saw her mommy on the ground, she ran to the neighbors to have them call 911. My 10-year-old grandson began performing CPR on his mother, as he'd seen on television. Not only did the adults fail to call 911, but also when they found out that someone had, they locked emergency personnel out.**

**No one really knows how long my daughter was down and whether or not those critical minutes that personnel were denied access could have made a difference, but what I do believe is that if the other persons in the home weren't afraid of being arrested for possessing drugs, they might have called 911 right away, and that could have saved my daughter's life.**

**That's what we're talking about here today – saving lives. You and I, we automatically do the right things in these situations, but our minds and lives aren't ruled by substance abuse. People who have substance abuse problems don't have the same patterns of thinking. They are often not able to think beyond themselves. They do, however, know all about laws that pertain to them, how to get by, how to skirt trouble, and for certain, if they are caught with drugs, they're going to be arrested. It isn't only being arrested that they fear, its losing access to their drugs. So, they take that extra time – precious, life-saving time - to dispose of the drugs and the paraphernalia. Often they run, leaving someone there to die. They aren't thinking the same way we do. In this case, small children did the right thing and called 911, so the drug users tried to collect themselves enough to face those consequences.**

**It's too late for Selene; and Selene, unfortunately, isn't alone. In the last five years, seven of Selene's friends have lost their lives to overdose. Some of them here in town, some of them when they moved to the Lower 48. I am here to ask you to help save our children's lives.**

**In order to help people make good choices and save someone's life, we could provide a very small safety net for them; give them a tool that supports making the right decision. Say to them, please save someone's life. This bill could be a stepping stone to that end.**

**Thank you for your time.**