

Overdose Prevention Campaign



Good Samaritan Laws

Good Samaritan Laws Can Save Lives and Increase Access to Emergency Medical Care

Drug overdose deaths are preventable. Fatalities usually result because victims do not get the simple, life-saving medical help that they need in a timely fashion. Although most overdoses occur in the presence of others, fear of arrest and prosecution prevents many people from calling 911. As a result, medical assistance is summoned in only half of all overdose situations.

To remove barriers to calling 911 and encourage people to seek emergency medical assistance for overdoses, states are enacting Good Samaritan laws which provide limited legal protections for those who call 911.

Calling 911 Should Never be a Crime

The chance of surviving an overdose often depends on the speed with which the victim receives appropriate medical care. Providing limited protection from arrest and prosecution for drug charges will encourage those who are present at the scene of an overdose to seek immediate medical assistance.

In 2009, New Jersey acknowledged the importance of Good Samaritan policies when the legislature unanimously passed a similar law regarding underage drinking emergencies. New Jersey should build on this success by passing a Good Samaritan law for drug overdoses.

Good Samaritan Laws in Other States

Connecticut, New Mexico, New York, Washington State, Illinois, Colorado, California, Massachusetts, Rhode Island, Florida and the District of Columbia have enacted laws aimed at encouraging overdose witnesses to call 911. In general, these laws provide protection from arrest and prosecution for drug use and possession charges if the evidence is gained as a result of the person calling 911. Similar measures are pending in several other states.

In 2008, the US Conference of Mayors unanimously passed a resolution urging all state governments to adopt Good Samaritan policies for overdose victims and witnesses. The Conference pointed to the nearly one hundred colleges and universities that have adopted similar, successful policies designed to prevent fatal alcohol overdoses.

Conclusion

Saving lives should always take priority over punishing behavior, and calling 911 should never be a crime. In an overdose situation, the threat of arrest and prosecution for drug use or possession is counterproductive and can cost lives. For these reasons, New Jersey must have a Good Samaritan policy that protects those who seek emergency medical assistance in the event of a drug overdose.