

911 Immunity Laws Saves Lives

NOPE Task Force supports creating more so-called Good Samaritan laws across the country. The state of Washington is only the second state in the country to provide limited immunity from prosecution for people who report overdoses to the authorities.

By Leon Fooksman



A teenager is at a house party when his close friend, high on alcohol and anti-anxiety pills, stumbles into a bedroom and collapses into a deep sleep. He figures the inebriated friend will simply sleep off the drugs.

But in the morning, the sleeping friend doesn't wake up. Knowing something is terribly wrong, the teenager panics and takes off without calling 911 for help, leaving his friend to die.

It's a common scenario for those fearful of getting caught for using or being in the presence of illegal drugs, experts in drug enforcement and counseling say. Many of the 26,000 Americans who die of "accidental" overdoses every year can be saved if witnesses, usually friends, called the authorities for help, they say.

That's why the state of Washington passed a law in March to eliminate the fear that typically causes hesitation before calling for emergency medical response services. The legislation provides limited immunity from prosecution for simple drug possession for people who report overdoses to paramedics and the police.

In the midst of a serious, but largely overlooked, drug overdose crisis in the United States, Washington is only the second state, behind New Mexico, with the so-called Good Samaritan immunity law. According to the Centers for Disease Control, drug overdose now ranks as a leading cause of preventable death in the U.S., second only to motor-vehicle accidents.

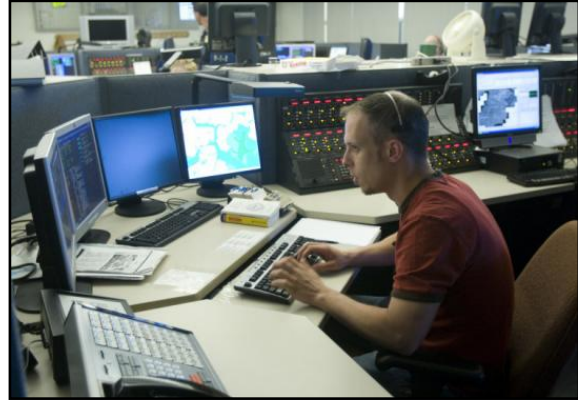
"If someone is there and recognizes that a person is dying, chances are pretty good that the person can be saved," said Gary Martin, a veteran homicide detective who is a board member of Narcotic Overdose Prevention & Overdose (NOPE) Task Force, which supports creating more 911 immunity laws across the country.

In many overdose cases, someone is indeed there, according to Martin who compiled data on fatal overdose cases in Palm Beach County, Fla.

Of the 207 cases Martin examined in 2007 and 2008, someone was present when the person died in 61 percent of the cases. Also, someone was aware of the decedent's drug usage around the time of the death in nearly 55 percent of the cases. In addition, someone recognized the victim's distress on the day of the death in 34 percent of the cases.

“They think if they put the victim in a cold shower, burn the person with a cigarette or give them other drugs like cocaine, they can wake them up,” Martin said. “They’ll do anything not to involve law enforcement.”

The new law in the state of Washington also allows people to use the drug naloxone, which counteracts the effects of an overdose, without fear of prosecution if it's used to help a person suffering an overdose. Until the law's passage, it was illegal for doctors to prescribe the intravenous drug to narcotics users or anyone else to keep on hand in case an overdose occurs.



Other states have introduced or are looking into overdose protection laws, including California, Connecticut, Hawaii, Illinois, Massachusetts, Minnesota, Nebraska, New York and Rhode Island, according to Drug Policy Alliance, a New York-based organization that promotes alternative practices to fighting drugs.

“There is an overdose crisis in this country and it is encouraging that states are starting to address this situation,” said Meghan Ralston of the Drug Policy Alliance in a press release. “It should never be a crime to call 911 and to try to save someone’s life.”

The state of Washington overcame initial opposition for the law from police and prosecuting attorneys associations over concerns that it would conflict with the state's prosecution of cases involving drug-induced homicides. Their objections dropped when legislators guaranteed that major traffickers were not going to be protected.

Martin said the 911 immunity laws prioritize saving lives over prosecuting low-level drug users. If enacted across the country, such laws have the potential for saving hundreds, if not thousands, of drug users each year, he said.

If you value NOPE Task Force’s commitment to preventing drug overdoses, please consider a voluntary payment to support the organization. Donate at www.nopetaskforce.org/donations.asp

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