

PBSO pushing for new law to reduce fear of calling 911 during an overdose

By **JEROME BURDI**, Sun Sentinel

Posted: 5:23 p.m. Thursday, Nov. 25, 2010

The Sheriff's Office has heard this story all too often:

People are out at a party with the "three-legged stool of death" — cocaine, prescription drugs and alcohol. Someone overdoses. Witnesses, too afraid to call 911, do what they've seen in movies: stick the person in a shower or let him sleep it off.

By morning, the person is dead.

"Fear of law enforcement is the main reason people don't call 911," Palm Beach County Sheriff's Detective Gary Martin said. "What we're hoping to do is organize a public-awareness campaign. In an overdose situation, don't concern yourself about getting arrested."

The Sheriff's Office is working with state Rep. Mackenson "Mack" Bernard, D-West Palm Beach, toward a law that will do just that. It's the 911 Good Samaritan Legislation, and it would provide limited immunity from drug-possession charges when a drug-related overdose victim or a witness to an overdose seeks medical assistance.

New Mexico was the first state to enact such a law in 2007, followed by Washington state this year.

Martin, Chief Deputy Michael Gauger and Lt. Jeff Andrews are helping Bernard write the bill. Bernard plans to introduce it in the next legislative session in March.

For Gauger, it was eight years ago, when he was working in investigations, that he saw all the accidental-overdose cases with similar stories of neglect.

"We've had body dumps related to drug-overdose deaths," Gauger said. "They don't want to be tagged in being complicit ... We can save their lives. There's way to counteract the drugs in their system" and stay alive.

"If you do dial 911, the object is to get fire rescue there," Andrews said. "If the police come and there's some small amount of drugs, we're more concerned with saving a life than [filing] a minor charge of possession at the scene."

Palm Beach County had 286 accidental-overdose deaths last year, up from 261 the previous year, records show. In Broward County, accidental overdoses also show a general upward trend, though 2009 numbers dropped to 279 deaths, down from 284 in 2008, records show.

In 62 percent of the Palm Beach County overdose deaths, records show, at least one other person was with the victim.

"These deaths don't happen in seclusion," Martin said. "That's one of the reasons we think lives could be saved with this legislation."

Drug overdose is the second-leading cause of accidental death in the nation, right behind traffic crashes, according to the Drug Policy Alliance, the New York-based nonprofit group that helped pass the law in New Mexico.

Nationally, more than 22,400 people died from accidental drug overdoses in 2005, the alliance reported.

Many remember a 2001 case in Palm Beach County, when 19-year-old Nicole Bishop — a straight-A student and University of Florida cheerleader — died of an overdose west of Boca Raton.

After ingesting alcohol, marijuana, Xanax and heroin, she passed out at a man's apartment. The next day, he discovered that Bishop wasn't sleeping it off. She was dead.

He called her friend's brother demanding: "Get her out of my apartment," according to Sheriff's Office reports, but he didn't call 911.

If Florida enacts the 911 Good Samaritan law, 911 calls won't necessarily skyrocket, a New Mexico deputy said.

Bernalillo County Sheriff's Department spokesman Larry Koren said the law is good to have, but authorities have seen no evidence that it's helped in overdose situations.

In many cases, he said, people still try to treat an overdose themselves.

"There are those individuals administering drugs to themselves or others who feel like they have some grasp and fail to call 911," he said. "Oftentimes, those spin out of control."

Calling paramedics are what makes the difference between life and death, said Palm Beach County Narcotics Overdose Prevention & Education Director Karen Perry.

"If you see someone passed out, if you're shaking them and pinching them, and they're not waking up, make that phone call right away," she said.

One of the toughest parts of an overdose case, the deputies said, is facing grieving parents when a death could have been prevented.

"When you talk to a lot of these parents, the frustration is tremendously high," Gauger said, "because there's no closure, there's nobody to blame and they want to asses blame. And it's not able to be done."

Staff Researcher Barbara Hijek contributed to this report.