

911 GOOD SAMARITAN LAWS: PREVENTING OVERDOSE DEATHS, SAVING LIVES

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911 GOOD SAMARITAN LAWS: PREVENTING OVERDOSE DEATHS, SAVING LIVES- PRESENTATION OVERVIEW

- Who is North Carolina Harm Reduction Coalition (NCHRC)?
- What is Harm Reduction?
- What Overdose Prevention work is NCHRC doing?
- The Overdose Epidemic in NC
- What are 911 Good Samaritan laws?
- What does the research say?
- Conclusions

NORTH CAROLINA HARM REDUCTION COALITION

North Carolina Harm Reduction Coalition (NCHRC) is North Carolina's only comprehensive harm reduction program. NCHRC engages in grassroots advocacy, resource development, coalition building and direct services for law enforcement and those made vulnerable by drug use, sex work, overdose, immigration status, gender, STIs, HIV and hepatitis.



WHAT IS HARM REDUCTION?

Harm reduction is a way of preventing disease and promoting health that “*meets people where they are*” rather than making judgments about where they should be in terms of their personal health and lifestyle. Accepting that not everyone is ready or able to stop risky or illegal behavior, harm reduction focuses on promoting scientifically proven ways of mitigating health risks associated with drug use and other high risk behaviors.

NCHRC'S OVERDOSE PREVENTION WORK

- **Advocacy**
 - Naloxone (Narcan) Access
 - 911 Good Samaritan Laws
- **Direct Services**
 - Overdose prevention and response education for law enforcement, youth, elders, drug users and prescription drug users.
- **Resources**
 - Overdose prevention advocacy toolkit
 - Overdose prevention information
 - Information on incorporating overdose prevention into the workplace

THE OVERDOSE EPIDEMIC

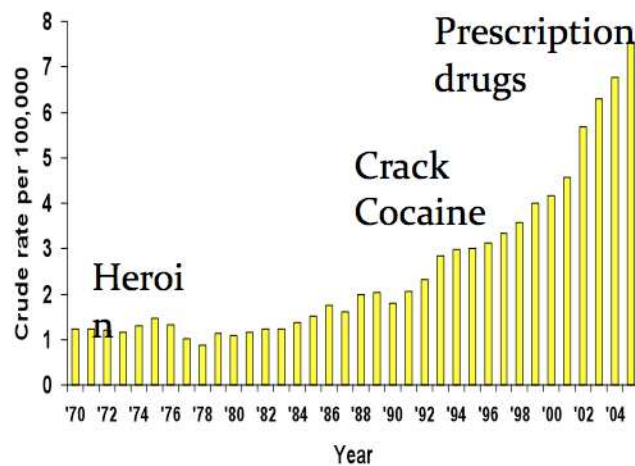
**NORTH
CAROLINA**

OVERDOSE IN NC

- North Carolina suffers disproportionately from a high overdose death rate.
- Most of these deaths involve opioid-based pain relievers like oxycontin, vicodin, methadone, fentanyl, morphine, and tramadol, as well as illegal drugs such as heroin and cocaine.
- In North Carolina drug overdose is the 4th leading cause of death for 18-49 year olds, recently passing traffic fatalities.
- In 2009, over 1000 people died from drug overdose in North Carolina alone. Nationally, drug overdose deaths have increased fivefold since 1990, claiming the lives of 27,658 people in 2007.
- Drug overdose deaths just passed motor vehicle accidents as the leading cause of injury or death in the United States.

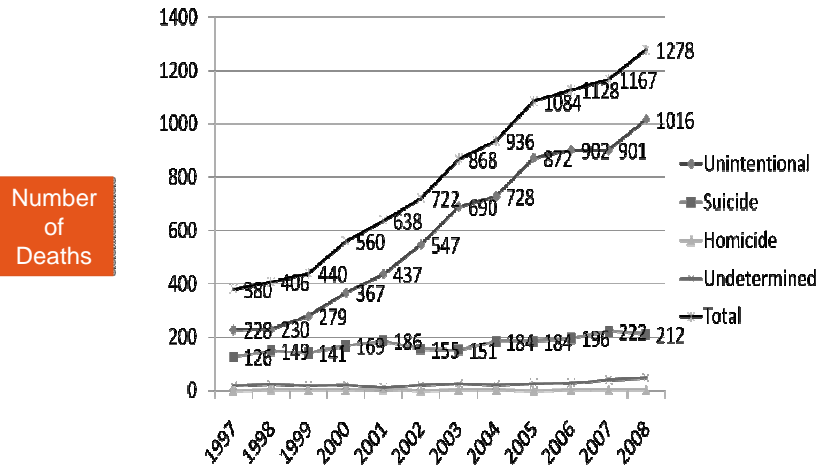
Source: Human Rights Watch: We Know What to Do.

Epidemics of unintentional fatal drug overdoses in the United States, 1970-2005



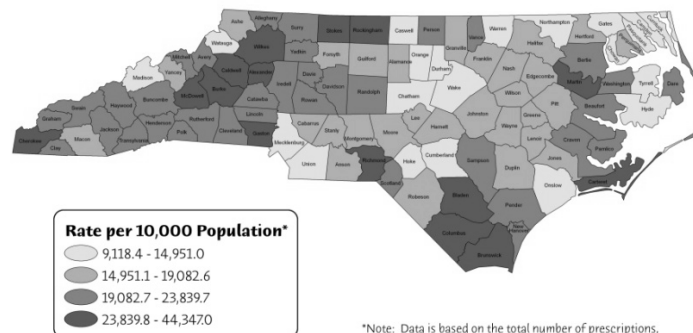
PREPARED BY KAY SANFORD, SEPTEMBER 2009

NUMBER OF FATAL POISONINGS BY MANNER OF DEATH, NC RESIDENTS 1997-2008



PREPARED BY KAY SANFORD, SEPTEMBER 2009

Rates of Out-Patient Prescriptions of Controlled Substances Dispensed in North Carolina by County, 2008



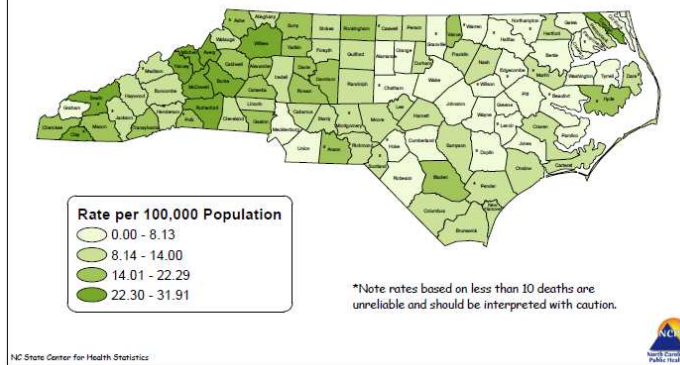
*Note: Data is based on the total number of prescriptions, and may include multiple prescriptions per person.
Source: NC Controlled Substances Reporting System.

sehs
State Center for
Health Statistics

NC
North Carolina
Public Health

PREPARED BY KAY SANFORD, SEPTEMBER 2009

North Carolina
Resident Unintentional and Undetermined Poisoning Death Rates
2006-2007



PREPARED BY KAY SANFORD, SEPTEMBER 2009

DEATHS AMONG MALE ~~NC~~ FORMER STATE

**PRISONERS AND OTHER MALE STATE RESIDENTS:
1980-2005***

SOURCE: ROSEN, CAUSE AND CAUSE-SPECIFIC MORTALITY
AMONG MEN RELEASED FROM STATE PRISON, 1980-2005. AJPH
2008;98:2278-. 2284

Cause of Death	Released Prisoners (% deaths)	Other Residents (% deaths)
Homicide	10.9	2.5
Suicide	4.8	3.7
Drug Overdose	4.7	1.1
MV Crashes	8.5	5.2
HIV	6.8	1.8
Viral Hepatitis	.8	.2
Alcoholic liver disease	3.0	1.5

WHAT ARE 911 GOOD SAMARITAN LAWS

LAW AS BOTH A PROBLEM AND A SOLUTION

- Overdose bystanders often fail to summon medical assistance for fear of arrest, particularly for drug crimes such as possession of *paraphernalia*, possession of prohibited *controlled substances* or possession of *naloxone without a prescription*.
- Since most of these barriers are rooted in unintended consequences of laws passed for other purposes, they may be addressed through relatively simple changes to those laws. At the urging of organizations including the U.S. Conference of Mayors, a number of states have addressed the overdose epidemic by removing some legal barriers to the seeking of emergency medical care.
- The change comes by encouraging bystanders to become “Good Samaritans” by summoning emergency responders without fear of arrest or other negative legal consequences.

Source: The Network for Public Health Law: LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS

LAW AS BOTH A PROBLEM AND A SOLUTION

- In 2007 New Mexico became the first state to amend its laws to encourage Good Samaritans to summon aid in the event of an overdose.
- As of September 12, 2012, nine states (FL, NM, WA, NY, CT, IL, CO, RI, and MA) have followed suit. An additional two states have passed laws explicitly requiring (AK) or permitting (MD) courts to take the fact that a Good Samaritan summoned medical assistance into account at sentencing.
- The idea that no one should face criminal penalties for attempting, in good faith, to save another person's life appears to be quickly gaining ground: seven of the nine states with Good Samaritan laws have passed those laws since January 1, 2011.
- Initial evidence from Washington, which amended its law in 2010, is positive, with 88 percent of drug users surveyed indicating that they would be more likely to summon emergency personnel during an overdose as a result of the legal change.

Source: The Network for Public Health Law: [LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS](#)

WHO HAS 911 GOOD SAMARITAN LAWS?

Who Has 911 Good Samaritan Laws?

- New Mexico 2007
- Alaska 2008
- Maryland 2009
- Washington 2010
- New York 2011
- Connecticut 2011
- Illinois 2012
- Colorado 2012
- Rhode Island 2012
- Massachusetts 2012
- Florida 2012

Who has 911 Good Samaritan Laws On their Governors Desk?

- California

Who has 911 Good Samaritan Laws Under Consideration?

- Hawaii, Minnesota, Nebraska

Source: The Network for Public Health Law: [LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS](#)

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**.
 - People using drugs illegally or participating in underage drinking 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 laws.

Source: The Network for Public Health Law: [LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS](#)

GOOD SAMARITAN 911 LAWS

- Multiple studies show that most deaths actually occur one to three hours after the victim has initially ingested or injected drugs.
- 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."

Source: The Network for Public Health Law: [LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS](#)

NORTH CAROLINIANS SPEAK ABOUT NOT DIALING 911

- “Lots of kids at my school take pills and drink, I don’t want my friends to hesitate calling 911 if one of us ODs.”
 - Louise, Cary, NC
- “I did not call 911 for my best friend Chuck due to fear of arrest and my friend died.”
 - Warren, Mt. Airy, NC
- “I delayed calling 911 due to being scared of being arrested, even though my friend was passed out cold from drinking.”
 - High School student from Hickory, NC
- “Dead addicts don’t recover, no one should be afraid to call 911.”
 - Steve, Winston Salem, NC
- “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.”
 - Corey Davis, Carrboro, NC

Source: NCHRC qualitative interviews on calling 911 for drug overdoses in NC

NOTABLE SUPPORT FOR GOOD SAMARITAN 911 LAWS

- In 2008, the *United States Conference of Mayors* unanimously adopted a resolution supporting 911 Good Samaritan policies that could save thousands of lives by encouraging medical intervention for drug overdoses before they become fatal.
- In 2012, at the NC Law Enforcement and Drug Policy Summit, Jon Sanders of the *John Locke Foundation* came out in favor of 911 Good Samaritan Laws.
- In 2011 and 2012, the Florida Sheriff Association, the Florida Police Benevolent Association and the Florida Alcohol and Drug Abuse Association signed on.

SCHOOLS SUPPORTING 911 GOOD SAMARITAN LAWS

Duke University, Elon University, Southern Methodist University, Clemson University, University of Texas – Tyler, Missouri Southern State University, Drake University, Franklin Pierce University, Missouri Southern State University, Ramapo College of New Jersey, University of St. Thomas, Alfred University, Binghamton University, Cornell University, Elmira College, Fordham University, SUNY Fredonia, New York University, Rochester Institute of Technology, Sarah Lawrence College, St. Lawrence University, Union College (NY), Vassar College, Antioch College, Kenyon College, Marietta College, Oberlin College, Ohio University, Ohio State University (Columbus), University of Oregon, Carnegie Mellon, Franklin & Marshall College, Gettysburg College, Keystone College, Lafayette College, Lehigh University, Misericordia University, Muhlenberg College, University of Pennsylvania, University of Scranton, Swarthmore College, Brown University, Furman University, Rhodes College, Vanderbilt University, Baylor University, Rice University, Texas Christian University, University of Texas at Austin, College of William and Mary, University of Nebraska-Lincoln, Dartmouth College, Monmouth University, Princeton University, Rider University, New Mexico State University, Minnesota State University Moorhead, Missouri State University, Truman State University, Hastings College.

University of Virginia, College of William & Mary, University of Vermont, California Institute of Technology, Humboldt State University, Pepperdine University, Pomona College, University of Colorado at Boulder, University of Connecticut, Yale University, American University, George Washington University, University of Delaware, Lynn University, Palm Beach Atlantic University, Rollins College, University of Tampa, Emory University, University of Georgia, University of Northern Iowa, Aurora University, Benedictine University, Lake Forest College, Ball State University, Hanover College, Trine University (formerly Tri-State), University of Kansas, Tulane University, Boston University, Emerson College, Hampshire College, Harvard University, Massachusetts Institute of Technology, Northeastern University, University of Massachusetts, Wellesley College, University of Maryland, Washington College, Unity College (Maine), University of Southern Maine, Kalamazoo College, Lake Superior State University, Michigan Technical University, Olivet College, St. Benedict/St. John's University

Source: Students for Sensible Drug Policy

WHY LAW ENFORCEMENT SUPPORT 911 GOOD SAMARITAN LAWS: CASE STUDY-FLORIDA

- On April 6th, 2012, Governor Rick Scott signed Florida's 911 Good Samaritan Act (SB 278).
- From 2003 to 2009, a total of 16,550 drug overdose deaths were recorded by Florida medical examiners. The annual number of deaths increased 61.0%, from 1,804 to 2,905.
- In order to learn more about the nature of Florida's overdose epidemic, law enforcement officials conducted in-depth case reviews of 353 overdose deaths that occurred in Palm Beach County from 2007 through 2010. This study revealed that 66% of overdose deaths occurred while others were present. Furthermore, 56% of the time witnesses were aware that the decedent had overdosed and 38% of the time witnesses recognized that the decedent needed medical help.
- Despite that fact that witnesses were commonly present and aware of the need for medical assistance, only 25% of overdose decedents were taken to a hospital.
- These findings heightened concern among law enforcement officials that fear of police involvement might be deterring a 911 call or contributing to the abandonment of overdose victims. Working with representatives from the Narcotics Overdose Prevention and Education Task Force, they began looking into potential sponsors for legislation modeled on bills enacted in New Mexico and Washington.

Source: Students for Sensible Drug Policy

**WHY LAW ENFORCEMENT SUPPORT
911 GOOD SAMARITAN LAWS: CASE
STUDY: FLORIDA**

- During the 2011 session, Rep. Mack Bernard (D-West Palm Beach), and Sen. Maria Sachs (D-Boca Raton) filed Florida's 911 Good Samaritan Act. This law is designed to save lives because when someone in America overdoses, a call for help is made less than 50% of the time and fear of police involvement is the most common reason for not calling 911.
- Florida's 911 Good Samaritan Act came remarkably close to final passage during the 2011 session and received widespread, bipartisan support. House Bill 91 passed unanimously with 119 yeas. The Senate companion (Senate Bill 1146) moved unanimously through two committees before it simply ran out of time.

**WHY LAW ENFORCEMENT SUPPORT
911 GOOD SAMARITAN LAWS: CASE
STUDY: FLORIDA**

- 2012 would prove to be the year for Florida's 911 Good Samaritan Act. Despite a few obstacles, including a brief period where the bill was temporarily postponed, once again the bill received overwhelming bipartisan support and passed the house and senate and was signed into law by Gov. Scott.
- Law enforcement were very supportive of the law because it improved public safety, encouraged the public to call 911 for drug overdoses and because it could improve law enforcement relations with the community.

GOOD SAMARITAN 911 LAWS: ADDRESSING CONCERNS

- Good Sam 911 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.

Source: The Network for Public Health Law: LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS

911 GOOD SAMARITAN LAWS: ADDRESSING CONCERNS

- **Good Samaritan Policies shouldn't be viewed as “get out of jail free cards” or rewards for binge drinking.**
- **Rather, they provide people with the clarity they need in order to make responsible, life-saving decisions during confusing and stressful situations.**
- **Every minute spent worrying about judicial consequences is another minute it will take for help to arrive. That minute can very literally be the difference between life and death.**

Source: The Network for Public Health Law: LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS

911 GOOD SAMARITAN LAWS: ADDRESSING CONCERNS

- Policy makers are correct in wanting to send the right message.
- A Good Samaritan Policy would send the message that officials care more about keeping people alive than punishing them.
- A message against the dangers of binge drinking or drug abuse should never have to come in the form of a obituary.

Source: The Network for Public Health Law: LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS

911 GOOD SAMARITAN LAWS

RESEARCH AND EVALUATION

EFFECTIVENESS OF 911 GOOD SAMARITAN LAWS

- **Fear of police involvement is the most common reason for not calling 911 during an overdose.**
 - Seal, K. H., Downing, M., Kral, A. H., et al. (2003). *Attitudes about prescribing take-home naloxone to injection drug users for the management of heroin overdose: A survey of street-recruited injectors in the San Francisco Bay Area.* *Journal of Urban Health*, 80(2), 291-301;
 - Tracy, M., Piper, T. M., Ompad, D., et al. (2005). *Circumstances of witnessed drug overdose in New York City: Implications for intervention.* *Drug and Alcohol Dependence*, 79, 181-190;
 - Baca, C. T., & Grant, K. J. (2007). *What heroin users tell us about overdose.* *Journal of Addictive Diseases*, 26(4), 63-68;
 - Sherman, S. G., Gann, D. S., Scott, G., et al. (2008). *A qualitative study of overdose responses among Chicago IDUs.* *Harm Reduction Journal*, 5(1), 2.

EFFECTIVENESS OF 911 GOOD SAMARITAN LAWS

- **Good Samaritan Policies have been proven to be effective at saving lives. People start calling 911!**
 - A 2006 study in the *International Journal of Drug Policy* found that emergency calls increased after Cornell University's Good Samaritan Policy was enacted in 2002.

EFFECTIVENESS OF 911 GOOD SAMARITAN LAWS

- **When someone in America overdoses, a call for help occurs less than 50% of the time.**
 - Tobin, K. E., Davey, M. A., & Latkin, C. A. (2005). *Calling Emergency Medical Services During Drug Overdose: An Examination of Individual, Social, and Setting Correlates*. *Addiction*, 100(3), 397-404;
 - Baca, C. T., & Grant, K. J. (2007). *What Heroin Users Tell Us About Overdose*. *Journal of Addictive Diseases*, 26(4), 63-68; Sherman, S. G., Gann, D. S., Scott, G., et al. (2008). *A Qualitative Study of Overdose Responses Among Chicago IDUs*. *Harm Reduction Journal*, 5(1), 2;
 - Smart, A. T. & Porucznik, C. (n. d.). *Drug Overdose Prevention and Education Study*. Retrieved from www.dsamh.utah.gov/docs/dope_u_of_uschool_20060621.pdf;
 - Tracy, M., Piper, T. M., Ompad, D., et al. (2005). *Circumstances of Witnessed Drug Overdose in New York City: Implications for Intervention*. *Drug and Alcohol Dependence*, 79, 181-190.

EFFECTIVENESS OF 911 GOOD SAMARITAN LAWS

- **Students who are aware that a medical amnesty policy is in effect are 2.5 times more likely than students who expect to face disciplinary actions to call for help when witnessing the signs of alcohol poisoning.**
 - Oster-Aaland, L., Thompson, K., & Eighmy, M. (2011). *The Impact of an Online Educational Video and a Medical Amnesty Policy on College Students' Intentions to Seek Help in the Presence of Alcohol Poisoning Symptoms*. *Journal of Student Affairs Research and Practice*, 48(2), 147-164.

EFFECTIVENESS OF 911 GOOD SAMARITAN LAWS

- A survey of 355 opiate users found that once they became aware of Washington's Good Samaritan law, 88% indicated that they were more likely to call 911 during future overdoses.
 - Banta-Green, C. J., Kuszler, P. C., Coffin, P. O., Schoeppe, J. A. (2011). *Washington's 911 Good Samaritan Drug Overdose Law – Initial Evaluation Results*. Alcohol & Drug Abuse Institute, University of Washington. Available at <http://adai.uw.edu/pubs/infobriefs/ADAI-IB-2011-05.pdf>.

911 GOOD SAMARITAN LAWS

CONCLUSIONS

CONCLUSIONS

Opioid overdose kills tens of thousands of Americans every year. Many of those deaths are preventable through the timely 911 response. As with all public health problems, there is no magic bullet to reducing overdose deaths. A comprehensive solution that includes input and active involvement from medical providers, policy makers and public health, law enforcement and elected officials is likely necessary to create large-scale, lasting change.

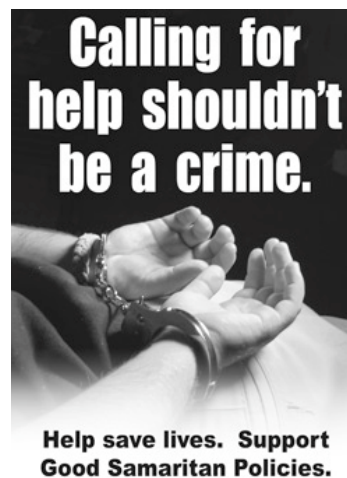
Evaluation is necessary to ensure that legal changes have the intended effect and to suggest additional amendments. However, it is reasonable to believe that laws that encourage the timely seeking of emergency medical assistance will have the intended effect of reducing opioid overdose deaths. Since such laws have few if any foreseeable negative effects, can be implemented at little or no cost, and will likely save both lives and resources, they may represent some of the lowest-hanging public health fruit available to policymakers today.

Source: The Network for Public Health Law: LEGAL INTERVENTIONS TO REDUCE OVERDOSE MORTALITY: NALOXONE ACCESS AND OVERDOSE GOOD SAMARITAN LAWS

GOOD SAMARITAN 911 LAWS

Good Samaritan immunity laws provide protection from prosecution for witnesses who call 911.

These laws encourage overdose witnesses and victims to seek medical attention.



**THANK YOU FOR
YOUR TIME**

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