Why do we need a Good Samaritan law in New Jersey?

- Drug overdose is a major public health problem.\(^1\) Nationally, fatal overdoses more than doubled between 1999 and 2005 and are now second only to automobile fatalities as the leading cause of accidental death.\(^2\)
- In New Jersey, overdoses are the leading cause of accidental death.\(^3\) Almost 6,000 people in New Jersey have died from drug overdoses since 2004.\(^4\) In 2009 alone, more than 700 people in New Jersey died from drug overdoses.\(^5\)
- Good Samaritan laws encourage witnesses and victims to call 911 and seek emergency medical assistance in overdose situations by removing the fear of arrest and prosecution for drug charges.

Are drug overdose deaths preventable?

- Yes. In a typical overdose situation, there is both time and opportunity to summon medical assistance. Commonly, overdose victims do not actually die until one to three hours after they have initially taken a drug.\(^6\) In addition, most of these deaths occur in the presence of at least one other person.\(^7\)
- Unfortunately, fear of arrest, prosecution and other legal repercussions prevent many people from calling 911.\(^8\) One study found that medical assistance was summoned in less than half of all witnessed overdoses.\(^9\)

Who supports overdose prevention legislation?

- A number of national and state-based organizations support Good Samaritan legislation as a means to reduce overdose deaths. In 2008, the U.S. Conference of Mayors unanimously passed a resolution supporting Good Samaritan laws and a comprehensive public health approach to reducing overdose deaths. The Conference described these measures as both “life-saving and cost effective.”\(^10\)

How can a Good Samaritan law in New Jersey help combat the overdose problem?

- Unlike many other leading causes of death, drug overdoses are almost entirely preventable. Fatalities usually result because victims do not get the simple, life-saving medical help that they need in a timely fashion.
- The best way to encourage people to call 911 in the case of an overdose is by enacting a Good Samaritan law, which provides overdose witnesses and victims with limited protection from arrest and prosecution for drug charges.
Have other states passed Good Samaritan laws that protect overdose witnesses and victims?

- Yes. Connecticut, New Mexico, New York, Washington State, Illinois, Colorado, California, Massachusetts, North Carolina, Rhode Island, Florida, Delaware and the District of Columbia have all enacted Good Samaritan laws aimed at encouraging people to call 911 and seek emergency medical assistance in overdose situations.\textsuperscript{x}
- In general, these laws provide protection from arrest and prosecution for drug use and possession for both the caller and the victim if the evidence for the arrest or prosecution is gained as a result of the person calling 911.
- Similar measures are pending in several other states.\textsuperscript{xii}

Does New Jersey support Good Samaritan policies?

- Yes. In 2009, New Jersey acknowledged the importance of Good Samaritan policies when the legislature unanimously passed a law providing legal protection from alcohol possession and consumption charges to underage drinkers who call 911 for emergency medical assistance.\textsuperscript{xiii} New Jersey should expand this life-saving policy by enacting a Good Samaritan law for drug overdose situations.

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\textsuperscript{4} U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, CDC WONDER Compressed Mortality File, ICD-10 Groups: X40-X44;
\textsuperscript{6} Data received from the New Jersey Department of Health and Senior Services.
\textsuperscript{7} Data received from the New Jersey Department of Health and Senior Services.
\textsuperscript{8} Data received from the New Jersey Department of Health and Senior Services.
\textsuperscript{12} Baca and Grant, “Heroin Users,” 63.
\textsuperscript{x} The U.S. Conference of Mayors, 76\textsuperscript{th} Annual Meeting, June 20-24, 2008.
\textsuperscript{xii} CA Assembly Bill No. 472 (February 15, 2011); PA House Bill 2489 (2012).