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**TESTIMONY IN SUPPORT OF 16-H 7003 – GOOD SAMARITAN OVERDOSE
PREVENTION ACT
January 12, 2016**

The ACLU of Rhode Island strongly supports this bill, expanding the scope of the Good Samaritan Overdose Prevention Act and making it permanent. The Act's lifesaving effects are already well documented, and expansion of the Act can only increase the number of lives saved in the fight against drug overdoses and the large number of deaths across the state occurring from those overdoses.

In the years since this law was first enacted, stories of lives saved by the use of Narcan have been reported regularly. At the same time, overdose deaths remain high. The permanence of the Good Samaritan Act is critical in reducing future overdose deaths.

As currently written, the law protects the lives of only some of those who need assistance; a wide swath of individuals in need of emergency assistance remain subject to arrest and prosecution if they call for medical assistance in the case of an overdose. The potential negative effect that these limitations may have in deterring individuals from calling for help simply cannot be ignored. Immunity under the law currently is generally limited to those offenses involving possession of a controlled substance. As a result, individuals who believe they could be charged with delivery-related offenses – such as those who bring drugs to share with their friend – are potentially dissuaded from calling for help in serious medical emergencies. This delineation threatens the lives of those individuals who believe that calling 911 will bring not life-saving treatment, but investigation, arrest, and prosecution.

The law that was previously in effect for three years provided no protection for the large subset of individuals who are on probation or parole and who could be violated and returned to prison for possessing drugs even if they cannot be criminally charged for it. It is of little solace to drug-dependent individuals to know they will not face criminal charges if they still face jail time as a probation violator for picking up the phone and seeking help. No individual should be forced to make a choice between life-saving medical treatment and going to prison, and this legislation's expansion of the Good Samaritan Act will ensure that fewer drug users will be placed in that precarious, and sometimes fatal, position.

Very few bills can truly be called life-saving, but this is one of them. The ACLU of Rhode Island respectfully encourages the committee's approval of this legislation.