



911 Good Samaritan Law Policy Statement

The Association of Prosecuting Attorneys (APA) is dedicated to supporting and enhancing the effectiveness of prosecutors in their efforts to create safer communities. APA supports the adoption of effective 911 Good Samaritan Laws, which have been proven to save lives and prevent hesitation during drug overdose medical emergencies.

In the United States, approximately 175 people die per day due to drug overdoses, which has become the leading cause of death in the US. Many of these overdose deaths are preventable with the injection of Naloxone, which is now carried by many first responders throughout the country. However, bystanders of overdoses may be hesitant to call for help for fear of being arrested themselves. By enacting 911 Good Samaritan laws, states can create certain immunities for individuals who call in the event of an overdose and thereby prevent hesitation, and save lives.

To be effective, 911 Good Samaritan laws should provide immunities to individuals who, in good faith, seek medical assistance for someone experiencing an overdose. Practices among jurisdictions will vary, but people who provide or administer the drugs that are proven to be the proximate cause of an overdose death may be criminally liable for that death even if they called for medical assistance. States who do not have 911 Good Samaritan laws should review the laws of other states and identify which laws or components of laws, would best be applied to their jurisdiction.

Moreover, it is imperative to educate the public about individual protections under 911 Good Samaritan laws. The efficacy of the law rests squarely on individuals making 911 phone calls, and are more inclined to do so when they are aware of knowing that they have these protections.

911 Good Samaritan laws save lives. These policies encourage individuals to engage in harm reducing behavior, concentrate on health over punishment, and contribute to a continuum of practices that should be implemented to effectively combat this crisis. These laws have been enacted in forty states across the US and have been proven effective.

This policy statement was approved by the APA Board of Directors on February 26th, 2018.