



For Immediate Release:  
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### ***911 Good Samaritan Act Will Save Lives***

Tallahassee, FL – A new law takes effect on October 1, 2012 that will help save lives. The law, titled the “911 Good Samaritan Act” encourages people to call for medical assistance if they witness an individual experiencing a drug-related overdose. Most importantly, it allows them to do so without fear of being “charged, prosecuted, or penalized” for possession of a controlled substance if the evidence was obtained as a result of a call for medical assistance.

Nationwide, lawmakers are recognizing that it is in the public’s best interest to encourage people to call for help. In 2007, New Mexico enacted the 911 Good Samaritan Act in 2007 to treat drug overdoses. It was the first of its kind in the country.<sup>1</sup> Since then, similar laws have been passed in other states.<sup>2</sup> Florida’s legislation was sponsored by Senator Maria Sachs and Representative Mack Bernard, and was signed into law by Governor Rick Scott on April 4, 2012.

The Florida Alcohol and Drug Abuse Association and the Florida Public Defender Association have partnered with prevention coalitions statewide. This new law will reduce the number of unintended deaths caused by accidental alcohol and drug overdoses.

- From January – June 2011, there were 4,329 drug-related deaths in Florida<sup>3</sup>
- The highest occurring deaths directly caused by drugs or alcohol were: Benzodiazepines = 545; Oxycodone = 607, Methadone (341), Cocaine (294) Ethyl Alcohol (269)<sup>4</sup>
- There were a total of 2112 deaths were directly caused by prescription drug overdoses<sup>5</sup>
- 3.4 of every 1,000 infants born in a hospital in 2009 suffered from neonatal abstinence syndrome (NAS)<sup>6</sup>

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<sup>1</sup> “Preventing Overdose, Saving Lives.” Drug Policy Alliance. March 2009. <http://drugpolicy.org/library/overdose2009.cfm> (last visited March 8, 2012).

<sup>2</sup> Alaska Statute s. 12.55.155(d)(19) (effective September 2008); Connecticut Public Act No. 11-210 (effective 2011); Illinois Public Act No. 97-678 (effective June 2012); Laws of New York s. 220.78 (effective September 2011); Revised Code of Washington 69.50.315 (effective June 2010).

<sup>3</sup> 2011 Medical Examiners Commission Interim Drug Report

<sup>4</sup> *ibid.*

<sup>5</sup> *ibid.*

<sup>6</sup> [http://myfloridalegal.com/webfiles.nsf/WF/MMFD-8TVHGF/\\$file/JAMANEonatalStudy.pdf](http://myfloridalegal.com/webfiles.nsf/WF/MMFD-8TVHGF/$file/JAMANEonatalStudy.pdf)



September 11, 2012

Dear Editor:

A new law which becomes effective October 1, 2012, allows Floridians who see or experience a drug overdose to call for medical assistance without risking criminal prosecution. The law, titled “**911 Good Samaritan Act**”, provides that a person acting in good faith who seeks medical assistance for an individual experiencing or observing a drug-related overdose may not be “charged, prosecuted, or penalized” for possession of a controlled substance if the evidence was obtained as a result of a call for medical assistance.

Generally, possession of a controlled substance is a third-degree felony punishable by up to five years in prison and a fine of up to \$5000. The new law, citing research indicating that other people are present or aware of fatal overdoses in a majority of cases, provides protection from criminal penalties for possession of the various substances involved in overdoses. The bill finds that it is in the public interest to “encourage a person who is aware of or present during another person’s overdose to seek medical assistance for that individual.”

The 911 Good Samaritan law also creates a new mitigation factor in Florida’s felony sentencing code if the defendant “was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.” However, it specifies that the protections of the bill may not be used to suppress or exclude legally obtained evidence in other criminal prosecutions.

In 2010, there were 2,420 unintentional deaths in Florida caused by drug-related poisonings. The Florida Alcohol and Drug Abuse Association and the Florida Public Defender Association are working together to reduce that frightening death toll by publicizing the new 911 Samaritan Act across the state. Please help us get the word out that after October 1, 2012, citizens can now “make the call” to 911 for help without worrying about arrest or prosecution for drug possession in criminal court. Many lives can be saved if Floridians take advantage of this beneficial new law.

JULIANNE HOLT  
President  
Florida Public Defender Association

DOUG LEONARDO  
President  
Florida Alcohol and Drug Abuse Association



# DRUG OVERDOSE?

**"Make the Call"**  
**Save a Life**

A new Florida Law allows you to report a drug overdose to seek medical help *without fear of criminal prosecution*. You can now call **9-1-1** for help for you or someone else overdosing on drugs *without fear of arrest*.

**"Make the Call"**

The new law encourages **YOU** to call **9-1-1** immediately if you see someone overdosing on drugs or alcohol. You cannot be prosecuted for being present and for reporting an overdose after October 1, 2012.

**Save a Life**



See 893.21, Florida Statutes titled the "911 Good Samaritan Act"