



SENATE MAJORITY OFFICE

Oregon State Legislature
State Capitol
Salem, OR

NEWS RELEASE

April 9, 2015

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Good Samaritan law for drug overdose help approved in Senate

SB 839 will save lives by prioritizing medical attention over drug charges

SALEM – The Senate approved legislation this morning that will allow individuals to seek medical attention without fear of arrest when a person experiences a drug overdose. Senate Bill 839 will provide legal immunity for possession charges against a person when they call for help with a drug overdose. The bill increases the likelihood that a person overdosing on drugs, or someone in their company, will call for medical assistance in time to make a critical difference

“This legislation balances our obligation to hold drug users accountable while making clear that our number one priority is keeping people alive,” said Senator Alan Bates (D-Medford), a family physician who carried the bill on the floor today. “Heroin use is skyrocketing throughout Oregon. With the proper public awareness of this proposed law, we can help first responders save lives and intervene when a life is at risk because of drug overdose.”

Senate Bill 839 contains three main components. First, the bill protects a person from arrest or prosecution when evidence is obtained as a result of the request for medical assistance. Both the person making the medical request and the person in need of assistance receive the immunity. The specific offenses under immunity are simple possession, frequenting a place where controlled substances are used, and possession of drug paraphernalia with intent to sell or deliver.

Second, the bill prohibits a person from being arrested for violating court supervision if the evidence was obtained in response to a request for medical assistance.

Third, the bill prohibits law enforcement from arresting a person on certain warrants if the location of the person was discovered after a request for medical assistance. The immunities in SB 839 are not grounds for suppressing evidence in cases other than for the specific offenses included in the bill.

“This is common sense legislation that will save lives by making it okay to call for help when a person is experiencing a drug overdose,” said Senator Elizabeth Steiner Hayward (D-Beaverton), a family physician who sponsored the bill. “We can save more people struggling with potentially fatal addiction by making it okay for people experiencing or witnessing a drug overdose to call for help.”

SB 839 will now go to the House of Representatives for consideration.

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