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Ohio lawmakers argue Good Samaritan law can save addicts' lives

Despite surge in heroin deaths, state slow to adopt protections for 911 callers reporting overdoses of fellow users

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by [Geoff Williams](#) - [@GeoffW](#)

CINCINNATI — When Abby Suver was found in her home in January 2013, unconscious from a heroin overdose, her acquaintance called 911 before fleeing the scene. Calling authorities and running is common in drug culture, especially as heroin deaths continue to rise across the country.

Suver, 33, a resident of Cincinnati who is now studying to be a drug and alcohol counselor, had fled the scene herself when she was doing heroin with fellow users. "Someone would overdose, and you call 911, and everyone leaves and prays that they make it," she said.

Nobody sticks around because nobody wants to be arrested. It's a mindset lawmakers have been working to change.

A majority of states (32 so far) have enacted Good Samaritan laws, allowing heroin users to call 911 and report a fellow user's overdosing without fear of being arrested for drug use when police arrive. Ohio — a state ravaged by the heroin resurgence in recent years — has been slow to come around. A bill was introduced this summer, but a one failed in the previous Ohio General Assembly session.

The new bill has a good chance of passing before the year is up, say co-sponsor [state Rep. Robert Sprague](#), R-Findlay, and [State Rep. Denise Driehaus](#), D-Cincinnati.

"My colleagues all over the state are more aware of the heroin epidemic than they were two years ago, and I think that's helpful," Driehaus said.

In 2012, Ohio, with about 11.5 million residents, had 697 heroin deaths, according to the state's Health Department. In 2013 there were 983 deaths, the latest numbers available. That's better than New Jersey (among approximately 8 million residents), which had 741 heroin deaths, but far worse than Georgia (about 10 million residents) which had 32 heroin deaths in 2013 and passed a Good Samaritan law for heroin in 2014.

Most of the states near Ohio — Indiana, Kentucky, New York, Pennsylvania and West Virginia — have adopted 911 Good Samaritan laws. Michigan, which saw 225 heroin deaths in 2013, is the only neighboring state that has held off.

Advocates for the law say that when someone is overdosing, you don't want anyone hesitating even for a minute to

Ohio's delay in passing a 911 Good Samaritan law may be precisely because heroin is such a problem for the state. Sprague said that in the last General Assembly session, many lawmakers were reluctant to vote for it because prosecutors were against it.

"They want to make sure that drug dealers don't get off," he said. "But we're trying to explain to the General Assembly that under the existing law, you don't get to prosecute anybody anyway. You've got one person who dies from a heroin overdose, and the other runs away."

"Our view is that nobody should have to second-guess doing the right thing," said Driehaus.

These laws are desperately needed, said Steve Walkenhorst, the director of patient services at the [Center for Addiction Treatment](#) in Cincinnati. Of the 1,300 patients treated at the center last year, 79 percent were addicted to heroin or opiate pills.

Opiate pills are a gateway drug for heroin and are often blamed for the epidemic. In the late 1990s and the 2000s, Oxycontin was marketed as a safe medicine to give for pain. As people became addicted to the pills, pill mills sprang up where you could get the painkillers without a prescription, and people were building up a tolerance to the expensive medicine. Then police shut down the pill mills. Many opiate addicts, looking for something stronger and cheaper, turned to heroin.

"If you were taking 300 milligrams of Oxycontin, you knew you were taking 300 milligrams of Oxycontin," Walkenhorst said. "If somebody pays for a \$20 bag of heroin, they don't really know what they're getting."

Lawmakers really started paying attention when heroin began destroying middle-class families, according to Meg Mott, a professor of politics at [Marlboro College](#) in Vermont. She is teaching a new class called Speech Matters: Reframing the National Debate on Addiction, which covers in detail the relationship between politicians and community leaders when addressing drug addiction.

"Many politicians tend to notice an epidemic like heroin when the population dying from overdoses stops being not just black, urban and poor and instead becomes white, rural and middle class," she said.

Not everyone thinks Good Samaritan laws will change users' behavior. "I would be surprised if someone shooting up heroin on a regular basis would know about the statute," said Thomas Hagel, an acting judge for the Dayton Municipal Court.

But he appreciates the law's intent. "This is an epidemic," he said. "When I was growing up, the image you'd have was of a greasy loser passed out, but now you've got middle-class kids and adults using it ... We're burying a lot more people."

Donna Young, a Cincinnati anti-drug activist, would also like to see the Good Samaritan law passed. Her 27-year-old son might have benefited from such a law seven years ago.

"Someone drove him to the hospital, unloaded him out of the car and left him there," she said, adding that she is grateful her son wasn't left in a ditch to die.

It took him several more years to get off heroin, which he did after an extensive drug rehabilitation program. He now works in construction.

"There is life after addiction," said Walkenhorst, "but you can't help people discover that if they're dead."