

Governor Markell Signs Good Samaritan Bill to Prevent Overdose Deaths


Law established in memory of Delaware victims

✘ Wilmington, DE –Surrounded by families who have lost loved ones to drug overdoses, Governor Jack Markell signed [Senate Bill 116](#) today to address the rising number of these fatalities by granting criminal immunity to individuals who report an alcohol or drug overdose. The law bears the name of Kristen L. Jackson, who died of a prescription drug overdose in January 2012, when friends were afraid to call 911, and John M. Perkins Jr., who was killed by a heroin overdose in May 2011.

“If we might save just one life by removing the fear that prevents a victim or friend from calling for help, we should not hesitate,” said Markell, who also thanked the relatives of Jackson, Perkins and other victims.

“While dealing with a level of grief that most of us cannot comprehend, these families stepped forward to tell their stories of loss in the hope of preventing others from experiencing their heartache. Their efforts were crucial in establishing the Kristen L Jackson and John M. Perkins Jr. Law.”

SB 116 passed the Senate on June 18 and the House on June 26, with no dissenting votes in either chamber. It provides that someone who seeks medical attention for an overdose or life threatening emergency, including for him or herself, will not be arrested or prosecuted for crimes detailed in the law. These offenses do not include the most serious felonies, Classes A, B and C.

“This is a very big step and I’m thrilled that it has been signed into law today,” said Sen. Cathy Cloutier (R-Heatherbrooke), the bill’s prime sponsor. “I believe it is a law that will save lives in Delaware. Now we need to educate people that if they are with friends, they don’t need to be afraid to call 911 if things get out of hand. No one should die because of another’s fear of getting in trouble.” 

“This has been an important, bipartisan effort on the part of Senator Cloutier and myself to save the lives of Delawareans,” said Sen. Bryan Townsend, D-Newark, who also sponsored the bill. “We appreciate the help and input of the Delaware State Police, the Attorney General’s Office and the University of Delaware in crafting a law that will do just that. I also appreciate the leadership of the Senate, the House and of Governor Markell for acting quickly to enact this life-saving measure.”

Representatives Helene Keeley (D-Wilmington South), Michael Barbieri (D-Newark) and Michael Mulrooney (D-Pennwood) sponsored the bill in the House.

The new law builds on Delaware’s ongoing commitment to ending the epidemic of prescription drug abuse, which kills more Delawareans every year than traffic accidents. Last year, the Department of State launched the prescription monitoring program to track prescriptions and identify medical professional who abuse their license to prescribe highly addictive drugs.

Before ending its 2013 session Sunday night, the General Assembly passed reforms backed by the Department to mandate doctors’ participation in the program, while also reducing the amount of pills that can be prescribed in emergencies, and, for the first time, requiring prescribers and dispensers to take mandatory controlled substances training.

###

