

HB 190 – Criminal Procedure – Medical Emergency - Immunity

Committee: Judiciary

Date: January 18, 2022

POSITION: Support

In November of 2020, I received a text message from my teenage daughter while I was at work. My daughter was frantic as she suspected her father, my husband was dead and did not know what to do. Immediately, I left work and headed home. On my way home, I called my daughter and requested she go into the bedroom to check on him and report what she observed to determine if we should call 911. My daughter was hesitant, as she was not only scared of what she would observe but stated that she was worried her father would be upset with her, or he may get in trouble if we called for medical treatment. Even though in that moment, I knew that my husband was probably experiencing an overdose, I was conflicted on what to do next. You would think that instinct would be to immediately call 911 and request medical help for a loved one, but just like my daughter, I was hesitant, as my husband was on parole and if violated, he would return for the duration of his sentence, which was a mandatory 8 years.

I ultimately did call 911 and gave limited demographic information regarding my husband. Instead of calling it in as a potential overdose, I reported that my husband has had previous struggles with substance use. At that time, I was the only one that was aware of my husband's recent relapse and was terrified that he would violate.

First responders had not yet arrived when I got home. A co-worker had followed me home and immediately went into the bedroom to administer Naloxone. Once my husband was revived and conscious, he frantically ran out the front door to get into his car prior to police arrival. As leaving, my husband adamantly stated he did not want the police to know, he would not speak to them, he did not want medical treatment and he was convinced he was going to violate.

I did not try to stop my husband from running, even though I was aware of the potential danger of him experiencing overdose again. I did not admit to first responders that Naloxone had to be administered. I was too scared for my husband to violate, potentially sending him back to prison for 8 years. I was reluctant to get my husband the help he so desperately needed. That is why passing this bill is so crucial. It needs to provide protections to the person experiencing the overdose as well as the person who is reaching out for help.

Thank you,

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