



February 6<sup>th</sup>, 2024

Senator Wanggaard, Chair

Members of the Senate Committee on Judiciary and Public Safety

**Testimony on 2023 Senate Bill 595**

*Relating to: immunity for certain controlled substances offenses for aiders and aided persons.*

Thank you, Chairman Wanggaard and other members of the committee, for hearing my testimony on Senate Bill 595 today. The opioid epidemic is not a new issue. According to the CDC, there were an estimated 107,622 drug overdose deaths in the United States during 2021, an increase of nearly 15% from the previous year. Wisconsin is not an outlier. In 2021, the last available full year of data, there were 1,427 opioid related deaths in Wisconsin. The number one cause of death for Wisconsinites under 40 in 2022 was accidental overdoses.

This is also not a new issue for the legislature. In 2013, the Wisconsin State Legislature introduced the Heroin, Opioid Prevention and Education (HOPE) Agenda, which aimed to combat the heroin crisis, the abuse of prescription drugs, and, eventually, the opioid epidemic that our state currently faces. Although a decade has passed, the impacts of recreational drug use have only gotten worse, especially with the rising presence of fentanyl laced drugs. In 2013, the original Good Samaritan law was established by defining an “aider” as someone who brings an individual to an emergency room, summons a first responder, or calls 911. If the aider were to do any of these things as soon as possible after acknowledging the overdose, they would be immune from prosecution for possession of drug paraphernalia and possession of a controlled substance.

Fast forward to 2017, the legislature expanded this immunity to prohibit the revocation of probation, parole, or extended supervision for the *aider* for possession of a controlled substance, drug paraphernalia, or masking agent. The *aided* individual also received immunities in this legislation; the aided person may not have his or her parole, extended supervision, or probation revoked if he or she were to complete a treatment program, or if a treatment program is unavailable or prohibitive financially, agreed to be imprisoned in the county jail for no less than 15 days. Additionally, it also required a district attorney to offer a deferred prosecution agreement to an aided person if he or she is subject to prosecution for bail jumping, possession of a controlled substance, possession of drug paraphernalia, or masking agent.

However, these protections had sunset provisions, only lasting until August of 2020. 2019 Assembly Bill 651 would have removed the sunset provisions and made the protections permanent. Unfortunately due to a shortened session because of the pandemic, this bill never got across the finish line. This bill in front of you today would reinstate those provisions.

These types of protections are useful; they do not discourage people from calling for help and saving lives. 47 other states and Washington D.C. have some form of Good Samaritan law in place with varying degrees of protections for the aider and aided, types of drug offenses, and when the immunity takes place (i.e. can the individual still get arrested). The United States Government Accountability Office (GAO) released a report in 2021 detailing the variations of the Good Samaritan law in states across the country and the effectiveness of these policies. The GAO also found that 25 states have taken the step to prohibit the revocation of probation or term of parole for these limited crimes. In this report, the GAO utilized 17 studies to assess whether the Good Samaritan law is effective in states that implemented it. They found that there was a decrease in overdose death rates for states that implemented such laws.

STATE SENATOR

JESSE



JAMES

23<sup>RD</sup> DISTRICT

This bill aims to try and save lives while also holding those who are choosing to use drugs accountable. This issue impacts all Wisconsinites. Drug use impacts people of all ages, races, and locations. People need immediate medical attention when experiencing an overdose, and saving a person's life can literally be a matter of minutes. We need to pass this crucial legislation once again. Thank you, and I will take any questions at this time.

Respectfully,

A handwritten signature in black ink, appearing to read "Jesse James".

Senator Jesse James  
23<sup>rd</sup> Senate District  
[Sen.James@legis.wisconsin.gov](mailto:Sen.James@legis.wisconsin.gov)



# DONNA M. ROZAR

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## Testimony before the Senate Committee on Judiciary and Public Safety

### Senate Bill 595

February 6, 2024

Thank you, Chair Wanggaard, Vice-Chair Jacque, and members of the Senate Committee on Judiciary and Public Safety for holding this hearing on Senate Bill (SB) 595, relating to immunity for certain controlled substances offenses for aiders and aided persons. I also thank Senator James for co-authoring this Bill with me and the many bi-partisan co-sponsors for their support. Senate Bill 595 is informally known as the “Good Samaritan Bill.”

Opioid overdose deaths are tragic. They are destructive to families and communities alike. As a retired nurse, I have firsthand experience in responding to overdoses. Every second counts when attempting to save a life from an overdose, and most people are not trained to handle an overdose situation. That is why I support this Bill. If an individual who is also using controlled substances finds themselves in a situation where a friend, loved one, or complete stranger is overdosing, they should not face criminal charges for making that call to emergency services. While I understand the argument that we would be saving those overdosing to “die another day,” it is impossible to rehabilitate and redeem someone who is deceased, even those individuals who some believe are unredeemable.

Good Samaritan laws came about in order to combat the growing overdose epidemic across the United States. In 2013, the Wisconsin State Legislature introduced the Heroin, Opioid Prevention and Education (HOPE) Agenda. Several years after introducing the HOPE Agenda, then Governor Scott Walker signed into law 2017 Wisconsin Act 33, expanding the Good Samaritan law already in place to provide *limited* immunity to both the aider and the aided individual. Unfortunately, the provisions providing immunity for the aided individual, as well as the reintroduction of parole and extended supervision revocation for both the aider and the aided occurred when no action was taken to extend or eliminate the sunset deadline, which expired in 2020.

In a 2021 report released by the United States Government Accountability Office (GAO), 17 studies assessed the effectiveness of Good Samaritan laws in the states that implemented it. The report concluded there was a decrease in overdose death rates for states with Good Samaritan laws.

SB 595 resembles 2019 Assembly Bill 651, which passed the Assembly Committee on Substance Abuse and Prevention and the Assembly Floor by unanimous votes. Unfortunately, the State Senate did not take a floor vote on AB 651 at that time.

Thank you for your kind consideration of this Bill. I am happy to answer any questions you have.



State of Wisconsin  
Department of Health Services

Tony Evers, Governor  
Kirsten L. Johnson, Secretary

**TO:** Members of the Senate Committee on Judiciary and Public Safety

**FROM:** HJ Waukau, Legislative Director

**DATE:** February 6, 2024

**RE:** SB 595 relating to: immunity for certain controlled substances offenses for aiders and aided persons.

The Department of Health Services (DHS) would like to submit written testimony for information only on Senate Bill 595 (SB 595) regarding immunity for certain controlled substances offenses for aiders and aided persons. Current law grants immunity from prosecution for an aider who possesses a controlled substance, and who summon or provide emergency medical assistance for another person because they are overdosing or having an adverse reaction to a controlled substance. Under 2017 Wisconsin Act 33, an aider was also immune from having parole, probation, or extended supervision revoked for possessing a controlled substance under the same circumstances. Further, the limited immunity would only apply to the aided person if they complete a treatment program as part of their parole, probation, or extended supervision. Additionally, Act 33 provided that a prosecutor must offer an aided person a deferred prosecution agreement if they complete a treatment program. The expanded immunities under Act 33 sunset on August 1, 2020.

In 2021, there were 1,427 people who died of opioid-related deaths in Wisconsin, and the opioid epidemic affects all genders, races, and age groups in both rural and urban communities.<sup>1</sup> SB 595 would permanently reinstate the protections sunset under 2017 Act 33. SB 595 would provide limited immunity to ensure people calling for help (aider), when someone is experiencing an overdose (aided). Anyone who uses opioids can experience an overdose at any time. When a person survives an opioid overdose, it's because someone knew what was happening and how to act. SB 595 removes the hesitancy of calling 911 when someone is experiencing an overdose. Additionally, SB 595 differs slightly from 2017 Act 33 in that it states the aider would have to obtain assistance "as soon as is practicable," rather than seeking assistance "immediately."

SB 595 will have a positive impact on health equity as it encourages those disproportionately affected by the criminal justice system to seek help. It also moves Wisconsin one step closer to treating substance use disorder instead of criminalizing it. Adding back the 2017 immunity for aiders and aided will strengthen Wisconsin's protections and allows helpers and survivors a path to move forward.

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<sup>1</sup> "Dose of Reality: Opioid Data Summary Dashboard," Wisconsin Department of Health Services, last revised September 1, 2023, <https://www.dhs.wisconsin.gov/opioids/dashboards.htm>.

SB 595 could be further strengthened if it extended the same limited immunity provisions to the aided, not just the aider. According to a 2021 National Institutes of Health study, far more people experience fentanyl overdoses in jails than in the general population.<sup>2</sup> Requiring jail time for people with opioid use disorder (OUD) puts them at greater risk for overdose and death due to lack of resources and/or access to treatment as required by SB 595. In addition, those recently released from jail are also at higher risk for overdose.<sup>3</sup> Further, all neighboring states have good Samaritan laws to protect both the aider and the aided.

SB 595 provides needed protections for those suffering from OUD and at-risk of an overdose so lives can be saved, and Wisconsin can continue to help those wrestling with addiction. Additional resources and information on opioid addiction can be found on DHS's Dose of Reality website,<sup>4</sup> and DHS offers itself as a resource to the Committee if it has any questions.

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<sup>2</sup> E. Kaplowitz et al. "Fentanyl-related overdose during incarceration: a comprehensive review," *Health Justice* 9, no. 13 (2021): doi: [10.1186/s40352-021-00138-6](https://doi.org/10.1186/s40352-021-00138-6).

<sup>3</sup> E A Carson, "Mortality in State and Federal Prisons, 2001-2018 – Statistical Tables," U.S. Department of Justice, April 2021, <https://bjs.ojp.gov/content/pub/pdf/msfp0118st.pdf>.

<sup>4</sup> "Dose of Reality," Wisconsin Department of Health Services, last revised October 29, 2023, <https://www.dhs.wisconsin.gov/opioids/index.htm>.



## Memorandum

To: Members of the Senate Committee on Judiciary and Public Safety  
From: Kristen Grimes, Director of Prevention Services  
Re: Support for Senate Bill 595

Date: February 6, 2024

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Vivent Health encourages you to support Senate Bill 595, which would grant immunity from prosecution for possession of a controlled substance for individuals rendering aid to an individual who is overdosing, as well as for the person who is experiencing an overdose.

Vivent Health, formerly the AIDS Resource Center of Wisconsin, is at the forefront of HIV prevention, care and treatment and is dedicated to providing quality medical, dental, mental health and social services for people with HIV. Vivent Health is a leading provider of innovative and comprehensive prevention services.

For more than 25 years, Vivent Health has been providing harm reduction services to people who use drugs. We provide these services through 10 offices located throughout the state, satellite sites and mobile delivery. We provide more than 25,000 encounters each year that involve harm reduction education; testing for HIV, hepatitis C and STIs; referrals to other services; and overdose prevention. The people we serve are our friends, our family, our neighbors who are using drugs. They are contributing members of society.

The reality is we all are impacted by opioid use whether we are aware of it or not. Many of us have lost friends and family to overdose. In Wisconsin, since 2011, the rate of drug overdose deaths increased from 12.1 to 31.6 per 100,000 residents. In the last year, more than 1,500 people lost their lives to an overdose, and since 2014 that number is now more than 10,000, with almost 75% of them opioid-related.

Every day, our staff serve people who are impacted by overdose, working to provide the tools needed to prevent and respond to overdose. In 2023, we distributed more than 52,800 doses of naloxone (Narcan) and our participants reported more than 1,100 lives saved. While we are proud of the lives saved, we also have memorial

**COLORADO**  
Denver

**ILLINOIS**  
Chicago

**MISSOURI**  
Kansas City  
St. Louis

**TEXAS**  
Austin

**WISCONSIN**  
Appleton  
Beloit  
Eau Claire  
Green Bay  
Kenosha  
La Crosse  
Madison  
Milwaukee  
Superior  
Wausau

boards filled with names of brothers, sisters, mothers, fathers, neighbors and loved ones who have been lost.

The people we serve are devastated by the lives lost. We continuously hear they are afraid to call for help and risk arrest for themselves or the person overdosing. There is no doubt that members of law enforcement share our goal of preventing drug overdoses in our communities. For the people who are struggling with drug use, engagement with the criminal legal system can be hugely disruptive to their ability to maintain employment, housing, or healthcare. Unfortunately, the loss of these key socioeconomic factors puts individuals who are using or those who have entered recovery, at greater risk for relapse or overdose.

In an overdose situation, every second matters. This is a medical emergency. Current law creates narrow and complicated protections, which in turns creates fear, confusion, and doubt, resulting in hesitancy to act that costs lives. This bill serves as a foundation for people to feel safer in calling 911.

The people we serve do not want to die. The people who care for them do not want to lose them. We urge the committee to vote "yes" on SB 595 to restore the previous protections Wisconsin had in place prior to 2020 and ensure all Wisconsin residents who are responding to an overdose feel safe when they turn to emergency responders in a medical emergency.



Megan was a beautiful young woman. She was always very happy and loved to tell stories. Megan was nice to everyone; people remember her for the way she treated them.

Megan was the youngest of four. She attended Catholic Central and St. Joe's Middle School. As a young girl, Megan played soccer year-round. She was also a Girl Scout and attended camps every summer.

In 2011, Megan was very proud to graduate from Appleton East; that fall she attended FVTC.

Her family and friends meant a great deal to her; she was always willing to help others. Megan was a fun-loving young woman, who had a memorable laugh. We greatly miss her every single day.

We will always love you, Megan, to the moon and back!



**Megan Rose Kelley**

Jan 9, 1993 - Apr 14, 2015

Forever 22

My name is Bev Kelley-Miller and this is a picture of my daughter, Megan. I live in Kimberly. I support passing SB595. This bill is a step in the right direction in saving lives that may otherwise be lost to an overdose. Every day, I encounter Wisconsinites who have lost multiple friends and loved ones to an overdose or fentanyl poisoning. I display the Wisconsin Memorial Quilts of loved ones lost to SUD. Many family members who contact me to submit a quilt square of their loved ones who died are distraught when they tell me no one called to save their loved one's life. I always ask if the loved one or the person who could have called were on probation/parole or extended supervision aka being on paper. Inevitably that is the reason no one called 911.

Under this bill, the fear of being revoked and sent to prison would be eliminated for people on paper who complete a treatment program.

Currently, fentanyl is killing thousands of people. According to the CDC in 2021, 1,775 Wisconsinites lost their lives to an overdose. I know all too well what it is like to lose a child to a preventable overdose. Over 9 years ago, my youngest daughter, Megan Kelley, Forever 22, was sentenced to a 36-month stayed and imposed prison sentence and 4 year's probation for 4 felony counts involving heroin. The judge in OC indicated she had to wait 9 months before she could go to inpatient treatment, even though we asked him twice during Megan's sentencing if she could participate in treatment the following day. Megan's sentence became a death sentence four months later when she relapsed, overdosed and died. I still have the calendar from 2015 where she marked off how many days she had to wait for treatment until September 11.

In April 2014, the original 911 Good Sam law was passed by the Wisconsin legislature, which failed to provide immunity to people on paper who call to save a life during an overdose. The law was amended in 2017, by providing immunity to people on paper for calling 911 during an OD, although there was a sunset clause which expired on August 2020, which means that the original 911 Good Sam law is currently in place creating fear in people on paper who are afraid to call to save a life. These are the people who need the immunity the most.

At Megan's funeral, her "friend" who was on extended supervision came through her funeral line and told me he was the last person to see her alive. He told my SIL in the parking lot of the funeral home, that he had used heroin with Megan the night she died. This "friend" completely failed to call to save Megan's life because he knew that if he called 911 on April 14, 2015, he would have been sent back to prison for rule violations and Megan would have been sent to prison if she lived through the overdose for the same reason. Instead, he came to Megan's funeral and cried because she died.

SUD can happen to anyone—the top two reasons that matter the most are genetics and environmental factors such as stress, trauma and abuse. My t-shirt contains 56 ordinary looking Wisconsinites who OD'd and died—multiple brothers, sisters and even a 50-year-old attorney who served in the military. Arresting and incarcerating people on paper for a medical condition isn't the answer. We have a viable solution to saving lives in SB595 by providing immunity to people on paper who call 911 during an overdose so they aren't revoked and sent to prison for rule violations. Nothing will bring Megan back so justice for me isn't incarcerating these people, it's saving lives and helping people join the over 21 million people in recovery who are now productive citizens.

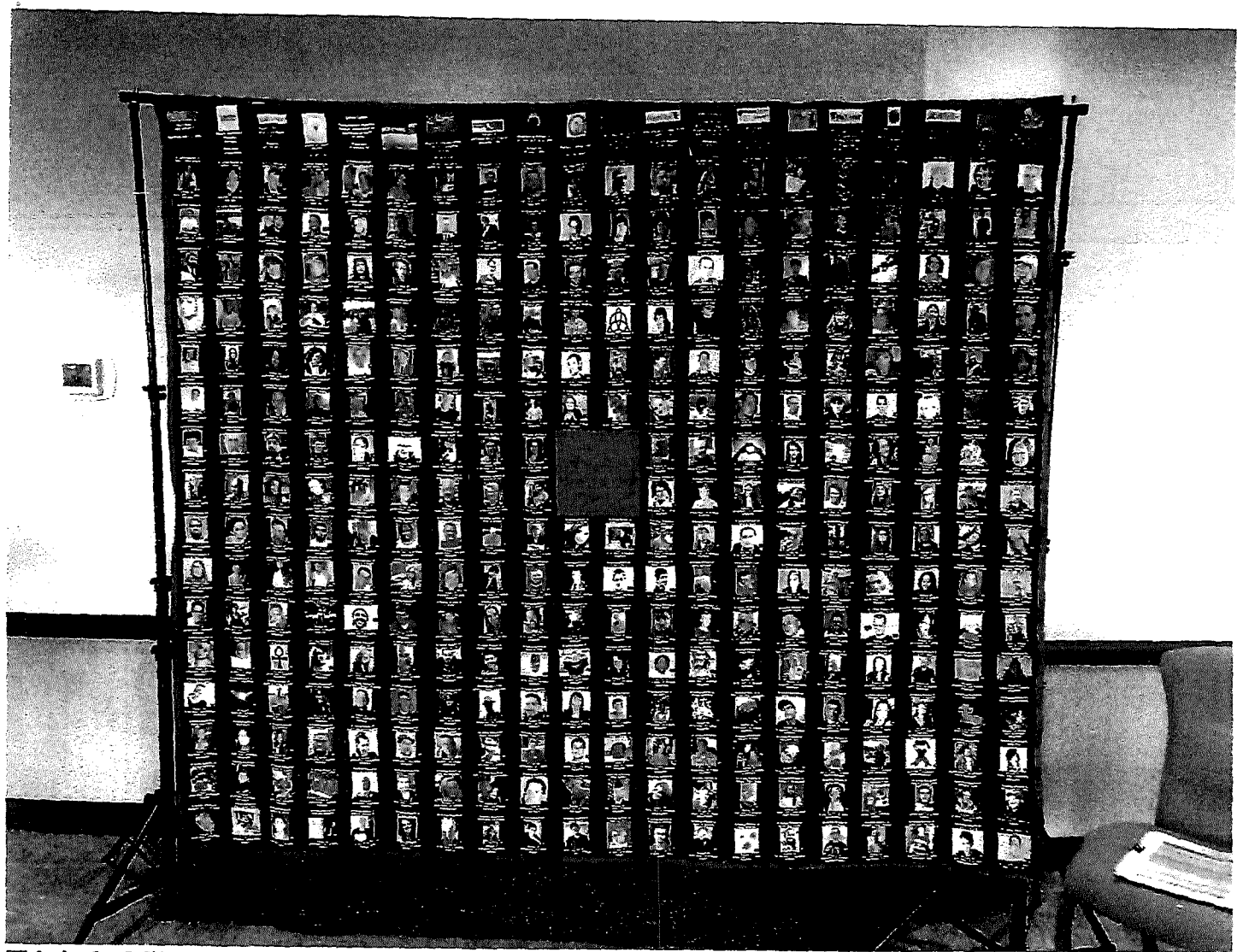
In Wisconsin through our state statutes, the counties budget for overdose deaths through toxicology reports and autopsies, along with body bags, coroners, crisis center staff, police investigations, and criminal prosecutions. Why not instead pass SB595 into law to provide limited immunity to people on paper so that we can save more lives and taxpayer monies resulting in fewer families who experience the same forever loss journey as I am on for the rest of my life.



Here are 3 pictures out of 4 of the Wisconsin Memorial Quilts that I tour the State of Wisconsin with. They've also made it to Washington DC 3x. There are over 1,200 Wisconsinites on the 4 quilts who died as a result of their SUD, someone else's SUD (collateral damage), alcohol or alcohol-related deaths, suicides, shootings, etc. I go into schools and treatment facilities and share my daughter, Megan's Story—she was connected to many others who also lost their lives. No child ever says: When I grow up, I want to struggle with addiction, I want to get arrested, I want to go to jail/prison, I want to get diseases and I want to die young. This is the typical route that someone like my daughter takes...when really all Megan wanted to do is have fun with her friends.

This is the Fox Cities and beyond Memorial Quilt.





This is the Milwaukee and surrounding cities Quilt. It is the largest Quilt with an extra row in comparison to the other three Quilts. Every single year there are more overdose deaths in the Milwaukee area of the State than any other area, along with shootings.



This is the Madison, Oshkosh, FDL, West Bend area and beyond.

Currently I have collected over 1,400 people on the Memorial Quilts. Once I have over 1,500 Wisconsinites, we will make another Quilt. Every single day, I post every person who died on the Wisconsin Memorial Quilts on the FB page: Wisconsin Faces of Addiction Quilt by listing their names, forever ages, city, dob/dod. Every day people say their names to remember and honor their loved ones who are greatly loved and missed.

This is just a tiny snapshot of what's happening in the State of Wisconsin.

**Senate Judiciary and Public Safety Committee  
Public Hearing, 2-6-24**

My name is Annette Czarnecki and I am a member of the Wisconsin Good Samaritan Coalition and I support SB 595. I am also a member of NAMI Wisconsin's Policy and Advocacy Committee. NAMI Wisconsin has submitted support for this legislation.

Thank you to the bill's sponsors and to Committee Chair Wanggaard for holding a public hearing.

I am here today because I lost three family members to overdose.

More than twenty years ago, I lost my two brothers, Matt and Gregg to prescription opioids. In 2020, I lost my stepdaughter, Sarah Caldwell, to an overdose – both heroin and prescription medications.

I don't know if Sarah was alone when she died. I do know her body was not found until more than a day after her estimated time of death. If someone had been with her when she overdosed, I would have desperately wanted them to call 911 without first wondering who would be arrested or revoked. I would have wanted Sarah to survive and to hug her. Instead my last touch with her was through a body bag.

I am also here because of Sarah's dad, my partner Jim Caldwell, who was in recovery for 40 years before his death from cancer. I know recovery is possible. But first, people have to not die.

As a certified grief support specialist I facilitate an overdose grief group. I listen to many tragic stories of overdose deaths. I understand the anger families feel when they learn their loved one died because a friend at the scene was afraid to call 911.

I know that many families of loss do not understand the nature of substance use disorders, nor what happens when someone overdoses. It would be great if the disorder, trauma and mental conditions did not compel people to use substances to escape their lives – but we know addiction does not work like that.

SB 595 won't solve everything, but it is a step in the right direction. The bill restores limited immunity - which removes a barrier for some people to make the 911 call. This was law in 2017 with Act 33, and unfortunately expired in 2020. **How many years have passed since 2020 with no action on this – even as overdose deaths in our state continued to climb. In 2021, Wisconsin had almost five overdose deaths per day.**

In the meantime our family members, friends, and co-workers continue to die because people fear arrest for themselves or their overdosing friend.

I assume all of us here today want to reduce overdose deaths in Wisconsin. So I ask: what is more important to you?

- Putting people who use drugs in jail, or
- Saving lives

I hope when you examine your conscience your answer is saving lives. **No one should fear arrest for calling 911 to save a life.** Regarding illegal drugs and criminal justice? As the detective in Sarah's case told me: "We are not going to arrest out way out of this problem."

**This is an urgent problem.** Please don't let another year pass to take action. Families cannot bear to lose more loved ones because someone was afraid to call 911 – and because leaders in this building failed to take action.

Thank you for your consideration.

Annette Czarnecki  
313 Potter St.  
Madison, WI 53715

WI Good Samaritan Protections	2013	2017	2020-present	AB 634 & SB 595 October 2023
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Aider- immunity from arrest or charges- paraphernalia, possession of controlled substance, or masking agent

Aider- immunity from prosecution- paraphernalia, possession of controlled substance, or masking agent	X	X <sup>1</sup>	X	X <sup>4</sup>
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Aider- immunity from parole, probation or extended supervision revocation		X <sup>1</sup>		X <sup>4</sup>
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OD Survivor (aided)-immunity from arrest or charges- paraphernalia & possession of controlled substance or masking agent

OD Survivor (aided)- immunity from prosecution for paraphernalia, possession of controlled substance, or masking agent		X <sup>2</sup>		X <sup>2</sup>
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OD Survivor (aided)- immunity from parole, probation or extended supervision revocation		X <sup>3</sup>		X <sup>3</sup>
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1 Immunity is only granted if the aider attempts to get help "immediately"

2 Immunity available via deferred prosecution if the aided person completes a treatment program

3 Immunity is only granted if the aided person completes a treatment program as a condition of probation, parole, or extended supervision. If the individual can't access treatment they go to jail for no less than 15 days.

4 Immunity is granted if the "aider's attempt to obtain assistance occurs as soon as is practicable after the aider believes the other person is suffering from the overdose or other adverse reaction."

**Assembly Committee on Criminal Justice and Public Safety**  
**Sita Diehl, Public Policy & Advocacy Director**  
**NAMI Wisconsin**  
**November 30, 2023**

**Re:** Support for Assembly Bill 634 related to immunity for certain controlled substance offenses for aiders and aided persons.

Chairman Spiros and members of the Committee,

NAMI Wisconsin, the state organization of the National Alliance on Mental Illness urges your support of Assembly Bill 634 related to immunity for aiders and aided persons when calling first responders to assist with overdoses from controlled substances.

NAMI is an organization of and for people with mental illness and their families. With roughly half of all people with mental illness having co-occurring substance use disorders, we recognize that substance use vastly complicates recovery from mental illness for the more than 150,000 Wisconsinites with co-occurring disorders.<sup>i</sup> Too many of our members have known these complications personally when we, or people we love attempt to cope with the symptoms of mental illness through drug abuse. We have lost family members to overdose whose lives could have been saved with timely medical intervention.

We applaud the Committee for bringing this bill forward to permanently restore 2017 Act 33, the overdose Good Samaritan law that expired in 2020. The intent is to save lives by encouraging people to call for medical assistance when a person is overdosing on a controlled substance. Act 33 amended the original Good Samaritan law enacted in 2013<sup>1</sup> as part of the HOPE (Heroin, Opioid Prevention and Education) legislation. AB 634 provides 'aiders' with immunity from criminal prosecution for drug possession if they call for assistance as soon as possible in the overdoses process.<sup>ii</sup> The bill also grants the aided person immunity from revocation of probation or parole if the if the aided person completes a treatment program.

We are alarmed that Wisconsin is losing more than 1,400 lives annually<sup>iii</sup> to overdose deaths. Those people include our family members, our neighbors, and our co-workers. We recognize that many of those deaths could be prevented if non-punitive policies encouraged people at the scene of an overdose to call 911 or get the person to medical assistance.

In light of the raging epidemic of overdose deaths in Wisconsin and across the nation, this bill represents a necessary step forward to save lives and promote recovery. We urge the Committee to support AB 634.

Sita Diehl  
Public Policy and Advocacy Director  
NAMI Wisconsin

<sup>i</sup> Wisconsin Mental Health and Substance Use Needs Assessment, 2019. Wisconsin Department of Health Services, DCTS. P. 13. <https://www.dhs.wisconsin.gov/publications/p00613-19.pdf>

*NAMI Wisconsin's mission is to improve the quality of life of people affected by mental illness and their families.*



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[www.namiwisconsin.org](http://www.namiwisconsin.org)  
[nami@namiwisconsin.org](mailto:nami@namiwisconsin.org)

# NAMI Wisconsin

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National Alliance on Mental Illness

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<sup>ii</sup> *Wisconsin Legislature: 2013 Wisconsin Act 194*. (n.d.). <https://docs.legis.wisconsin.gov/2013/related/acts/194>

<sup>iii</sup> <https://www.dhs.wisconsin.gov/opioids/data-reports-studies.htm>

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*NAMI Wisconsin's mission is to improve the quality of life of people affected by mental illness and their families.*



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(833) 860-5400



[www.namiwisconsin.org](http://www.namiwisconsin.org)  
[nami@namiwisconsin.org](mailto:nami@namiwisconsin.org)



SUPPORT,

287 people have signed a petition on Action Network telling you to Strengthen the WI 911 Good Samaritan Law! .

Here is the petition they signed:

*I am adding my name today to this petition of support to strengthen the Wisconsin 911 Good Samaritan Law.*

Good Samaritan Laws exist to encourage people to call 911 in the event of a medical emergency. These medical emergencies include the event of a drug overdose.

Death from drug overdoses are preventable when timely calls are made to emergency services, therefore we should do everything we can to encourage any person to call 911 if witnessing an overdose.

In 2017, WI State Stat 961.443 (2) was expanded to provide immunity to aiders on probation/parole and extended supervision who call 911 during an overdose for three years. Last August the statute language expired.

Currently, the law states that people on probation or parole can be punished if they call 911 to save someone's life in the event of an overdose. Absolutely no one should face criminal charges for calling to save a life. This deterrent is the opposite intention of Good Samaritan Laws. The Law as written is flawed and will lead to more overdose deaths.

I support legislation to restore the immunity protection to individuals on probation or extended supervision immediately.

Impacted families and communities can't bear another overdose death because someone was afraid to call for help.

You can view each petition signer and the comments they left you below.

Thank you,

Wisconsin Recovery Advocacy Project

- 
1. **Em Hauser** (ZIP code: 53022)
  2. **Brooklyn Miller** (ZIP code: 54165)
  3. **Laurie Gregory** (ZIP code: 53012)
  4. **Kathleen Lyons** (ZIP code: 54235)

**5. Ann Derge** (ZIP code: 54311)

**6. Amanda Mazariegos** (ZIP code: 54130)

**7. Hailee Peterson** (ZIP code: 54304)

**8. Andrea Kolitsch Zahringer** (ZIP code: 54155)

**9. Amanda Dinger** (ZIP code: 54660)

**10. Amanda Ladecki** (ZIP code: 54403)

**11. AMY SCHROEDER** (ZIP code: 53527)

**12. Angie Morelock** (ZIP code: 54956)

**13. Anne Bucio** (ZIP code: 53213)

**14. Anne Hynek** (ZIP code: 54247)

**15. Annette Czarnecki** (ZIP code: 53715)

Please, help save lives. No one should be punished for calling 911 to save a friends.

**16. Lisa Antonissen** (ZIP code: 54220)

**17. Sharon Marshall** (ZIP code: 53593)

**18. Armando Suarez Del Real** (ZIP code: 53092)

**19. Wesley Arnett** (ZIP code: 53593)

**20. Aaron Clayborn** (ZIP code: 53085)

**21. Bethany Gordy** (ZIP code: 53704)

**22. Shandra A Bauer** (ZIP code: 53719)

**23. Barbara Beres** (ZIP code: 53089)

**24. Rebecca Todd** (ZIP code: 53081)

As a person who was on probation and was in a situation similar to this, I think this law needs to fixed. I almost got me into some serious trouble because of it.

**25. Samantha Belanger** (ZIP code: 54302)

**26. Malena Forner** (ZIP code: 54161)

**27. Bell Hurula** (ZIP code: 5022)

**28. Robert Collins** (ZIP code: 53081)

**29. Pamela Link** (ZIP code: 53571)

**30. Bonnie Neumann** (ZIP code: 53075)

**31. Robert Jagemann** (ZIP code: 54220)

**32. Jessica Morrow** (ZIP code: 53711)

**33. Madison Kuehl** (ZIP code: 54220)

**34. Cheri Branham** (ZIP code: 54303)

**35. Brandi Andrews** (ZIP code: 54915-1334)

**36. Brenda Haese** (ZIP code: 54230)

**37. Wyatt Breuninger** (ZIP code: 54220)

**38. Brittany Neubert** (ZIP code: 54915)

We need to pass this law!!!

**39. Brooke McKearn** (ZIP code: 53511)

“Support SB 595 and and AB 634” to help us save lives.

**40. Brooke Pedder** (ZIP code: 53575)

**41. Brooklyn Miller** (ZIP code: 54165)

**42. Charles H Lomas** (ZIP code: 53132-2258)

**43. Christine Wilson** (ZIP code: 53711)

**44. Caitlin Turkowski** (ZIP code: 53563)

Fix this, there was a sunset clause went into effect Aug 2020 weakening. Please reinstate fully

45. **Clarissa Acevedo** (*ZIP code: 53202*)
46. **Carly Kowitz** (*ZIP code: 54911*)
47. **Carrie Ordonez** (*ZIP code: 53963*)
48. **Carrie Drewa** (*ZIP code: 53066*)
49. **Caroline Stevenson** (*ZIP code: 54914*)
50. **CAtherine Oreto** (*ZIP code: 54303*)
51. **Caty Taylor** (*ZIP code: 53227*)
52. **Chris Clemens** (*ZIP code: 54665*)
53. **Celinette Burgos** (*ZIP code: 53227*)
54. **Cheryl Goeckermann** (*ZIP code: 53913*)
55. **Chelsea Drake** (*ZIP code: 53590*)
56. **Emily Copeland** (*ZIP code: 53562*)  
—
57. **Clare Radtke** (*ZIP code: 53719*)
58. **CAROL VANPEE** (*ZIP code: 53589*)
59. **Danielle Ostorero** (*ZIP code: 54911*)
60. **mandy Suthers** (*ZIP code: 54313*)
61. **Carrie Davis** (*ZIP code: 53405*)
62. **Donna Cochems** (*ZIP code: 53704-1162*)
63. **Deanna Culver** (*ZIP code: 54914*)  
PLEASE Strengthen the WI 911 Good Samaritan Law!!!!
64. **Debra Dillman** (*ZIP code: 53072*)

**65. Deanna Culver** (ZIP code: 54914)

**66. Destiny Payne** (ZIP code: 53405)

**67. Diane Johnson** (ZIP code: 53562)

**68. Diane H** (ZIP code: 53520)

**69. Douglas Dueck** (ZIP code: 53086)

**70. Sabrina Dowd** (ZIP code: 53545)

**71. Dustin Sargent** (ZIP code: 54220)

this should already be a law. no one should ever go to jail for helping save a life ever.

**72. Darcy Wall** (ZIP code: 54401)

**73. Erin Suzuki** (ZIP code: 53011)

**74. Edward Kenrick** (ZIP code: 53589)

**75. Elaine Drinan** (ZIP code: 53208)

Good Samaritans are what makes a community function well; be careful that you don't legislate something that hurts our community.

**76. Emily Hacker** (ZIP code: 53704)

**77. Emma Haeuaer** (ZIP code: 53024)

**78. Joseph Gaglio** (ZIP code: 53711)

**79. Ezra Lyon** (ZIP code: 54406)

I am a family medicine physician practicing in Waupaca Wisconsin. Many of my patients who use drugs avoid calling 911 if their loved ones overdose. This law is needed to save lives in our communities.

**80. Tracy Burtis** (ZIP code: 61072)

This has to take priority!!!!

**81. Jeff Owen** (ZIP code: 54913)

**82. Jason Fritz** (ZIP code: 53051)

**83. Andy Fuhrman** (ZIP code: 61244)

**84. Iris Garcia** (ZIP code: 53717)

**85. Garret Hade** (ZIP code: 89149)

**86. George Moore** (ZIP code: 53151)  
Let's get it done!

**87. Hannah Feest** (ZIP code: 53203)

**88. Debbie Hartfield** (ZIP code: 53142)

**89. Heather Colbath** (ZIP code: 53081)

**90. Jayda Hetue** (ZIP code: 54220)

**91. Lydia Hernandez** (ZIP code: 53222)  
This will help save lives

**92. Kate Langreck** (ZIP code: 54703-3151)

**93. Hanina Rosenstein** (ZIP code: 02906)

**94. Ian Oehlke** (ZIP code: 54220)

**95. Darnell Bennett** (ZIP code: 53024)

**96. James Lewallen** (ZIP code: 53719)

**97. Janelle Money Penny** (ZIP code: 54701)

**98. Beverly Kobal** (ZIP code: 54915)

**99. Jason Ciepluch** (ZIP code: 53154)

**100. Janet Danforth** (ZIP code: 54155)  
I'm a mother who had to call 911, on several occasions for an OD. Yes it was heroin.

**101. Joe Guenther** (ZIP code: 54166)  
*Parents, children, aunts, uncles, nephews, and nieces die needlessly from overdoses because people are afraid to call for help. Our current statute needs to be fixed to save lives.*

**102. JenAnn Bauer** (ZIP code: 53095)

This SHOULD be a no brainer.

**103. Jenna Durkee** (ZIP code: 54311)

**104. Jennifer Gleichner** (ZIP code: 54220)

**105. Jennifer Nevestich** (ZIP code: 53563)

**106. Jennifer Smith** (ZIP code: 53714)

**107. Jerome Dillard** (ZIP code: 53713)

**108. Jessica Morrow** (ZIP code: 53711)

**109. Jessica Zingg** (ZIP code: 53719)

**110. Jessica Geschke** (ZIP code: 53032)

**111. Jesse Heffernan** (ZIP code: 54915)

**112. Jill Barney** (ZIP code: 53151-1576)

**113. Jill Nyland** (ZIP code: 53718)

If the life is saved no harm no foul.

**114. Jacqueline Bouchard** (ZIP code: 54956)

**115. Jessica Brownrigg** (ZIP code: 53085)

**116. Jairo Mazariegos** (ZIP code: 54130)

**117. Jeanne Louther** (ZIP code: 53716)

**118. Joseph Fath** (ZIP code: 54521-8362)

**119. Jordan Kraak** (ZIP code: 53711)

**120. Jordan Ramsdell** (ZIP code: 53711)

**121. Josh Hurula** (ZIP code: 53022)

**122. Joy Mutchie** (ZIP code: 54313)

Thank you to who ever started this petition!

**123. JoyJoy Breese Holz** (ZIP code: 54923)

**124. Jesse Quade** (ZIP code: 53901)

**125. Dusty Rodziewicz** (ZIP code: 53704)

**126. Julie Schwab** (ZIP code: 53562)

Anyone and everyone should feel safe to call 911 to prevent an overdose death regardless of the situation.

Julie Schwab

**127. Jenny Hallett** (ZIP code: 53563)

Hello,

All lives are worth saving. The possible medical emergencies are endless and any one of those could be witnessed by someone who is on probation or parole or who has drugs or drug paraphernalia on them. If you or your loved ones are ever in one of these medical emergencies, there needs to be no reasons to deter someone from picking up the phone and calling 911 and sticking around to help you until medical help gets there. Saving lives is more important than any possible convictions at that moment in time. Please protect any person who is willing to help save a life by calling 911 and sticking around. Thank you so much!

Jenny Hallett, Milton WI

608-290-6555

**128. Judith Thornton** (ZIP code: 54650)

**129. Jeannine Van Hoven** (ZIP code: 54952)

**130. Jill Whitmarsh** (ZIP code: 54467)

**131. Kathryn Mueller** (ZIP code: 53933)

**132. Kale Schmidt** (ZIP code: 53207)

**133. Karmen Chiodini** (ZIP code: 61072)

**134. Kate E Heiber-Cobb** (ZIP code: 53716)

**135. Kayla Irrgeher** (ZIP code: 54220)

**136. Leah Schindler** (ZIP code: 53081)



**137. An anonymous signer** (ZIP code: 53532)

**138. Kelsey Tienor** (ZIP code: 54241)

**139. Kiara Knutson** (ZIP code: 54945)

**140. Kimberly Diekow** (ZIP code: 53182)

**141. Katherine Dummer** (ZIP code: 53208)

**142. Kathy Mohrman** (ZIP code: 54902)

**143. Kristi Havel** (ZIP code: 54220)

**144. Kristine Kenny** (ZIP code: 53546)

**145. Kristina Vaccaro** (ZIP code: 53704)

**146. Kory Finrock** (ZIP code: 53575)

**147. Kailey wood** (ZIP code: 54401)

**148. Kyle Pfister** (ZIP code: 53212)

**149. Karen Zima** (ZIP code: 53221)

For Ben!! \_\_

**150. Diana Wendricks** (ZIP code: 53562)

It might actually save someone's life.

**151. Amy Schroeder** (ZIP code: 53527)

**152. Leslie Doxtater** (ZIP code: 54304)

**153. Lee Haeuser** (ZIP code: 53024)

**154. Lana Hamilton** (ZIP code: 53715)

Saves Lives

**155. Asia Lee** (ZIP code: 10301)

Life saving tools are not a want but a need it's time to learn how to be less bias remove the stigma decriminalization of Drugs

**156. Linda Fuller** (ZIP code: 53575)

**157. Linnea James** (ZIP code: 53537)

**158. Lisa Stricklin** (ZIP code: 54220)

**159. Lori Elm** (ZIP code: 54303)

We need this or more overdose will happen and they will be dragged and left out side or left alone.

**160. Lori Haeuser** (ZIP code: 53021)

**161. Ly Riggle** (ZIP code: 53226)

**162. Laura Waldron** (ZIP code: 54246)

**163. Linda Dwyer** (ZIP code: 53144)

**164. Michelle Pierquet-Hohner** (ZIP code: 54301)

**165. Mack McKellips** (ZIP code: 53704)

**166. Madison Simpson** (ZIP code: 53719)

**167. Michelle K** (ZIP code: 53474)

**168. Maggie Williams** (ZIP code: 53711)

**169. Makayla Lau** (ZIP code: 54220)

**170. Anna Maklof** (ZIP code: 53704)

**171. Paula Jolly** (ZIP code: 54313)

**172. Marie Young** (ZIP code: 53704)

**173. Marlene Ash** (ZIP code: 53528)

This law the way it is written is ridiculous and must be changed to protect the 911 caller. Every precious life deserves to be saved!!

**174. Martha Drew** (ZIP code: 54302)

**175. Martine Tate** (ZIP code: 53207)

**176. Kristen Grimes** (ZIP code: 53132)

**177. Meghan Rentschler** (ZIP code: 53704)

**178. Michelle Haumschild** (ZIP code: 53538-1749)

**179. michelle jaskulski** (ZIP code: 53110)

**180. Whitney Miranda** (ZIP code: 53711)

**181. Misti Miller** (ZIP code: 54165)

**182. Maggie Stilson Compton** (ZIP code: 53716)

My partner died from an overdose on January 27, 2022. He was 34 years old. His life ended way to soon.

**183. Michelle Oneill** (ZIP code: 54902)

**184. Valerie Walowit** (ZIP code: 53704)

**185. Mary Snapp** (ZIP code: 53590)

**186. Mary Stryck** (ZIP code: 53226)

**187. richard hegwood II** (ZIP code: 53703)

**188. Nancy Johnson** (ZIP code: 53142)

**189. Cathie Gray** (ZIP code: 32738)

This could be a lifesaving change!! This WILL Be a LIFESAVING Change!

**190. Nicole Harrington** (ZIP code: 54143)

**191. Nick Gansemer** (ZIP code: 53704)

**192. Michael Noack** (ZIP code: 53575)

**193. norma satter** (ZIP code: 53716)

**194. Michael O'Connor** (ZIP code: 53562)

**195. Oliver Peters** (ZIP code: 54220)

- 196. Patricia Hopson** (*ZIP code: 54410*)
- 197. Paula Citro** (*ZIP code: 53406*)
- 198. Patrick Danforth** (*ZIP code: 54304*)
- 199. Peggy O'Malley** (*ZIP code: 53092*)
- 200. Angelina Peyketewa** (*ZIP code: 54495*)
- 201. Peggy Spiewak** (*ZIP code: 53562*)
- 202. Olivander Saggio** (*ZIP code: 53024*)
- 203. Ppharoah Washington** (*ZIP code: 53209*)  
Every life matters let's be able to help without consequences pro life
- 204. Andrea Nelson** (*ZIP code: 53719*)  
No one should be afraid to call 911 to save a life
- 205. Randall Goddard** (*ZIP code: 53032*)
- 206. Rebecca Bussineau** (*ZIP code: 49893*)  
I'm a recovery coach in Marinette Wi
- 207. Aaron Kucharski** (*ZIP code: 29579*)
- 208. Rene Simon** (*ZIP code: 53716*)
- 209. Renee Knight** (*ZIP code: 53711*)
- 210. Leslie Doxtater** (*ZIP code: 54304*)
- 211. Cara Rheinschmidt** (*ZIP code: 53546*)
- 212. Rick Kitchen** (*ZIP code: 54136-1331*)
- 213. Kelly Lentz** (*ZIP code: 53954*)
- 214. Deanna Martinson** (*ZIP code: 53142*)
- 215. Abby DeWitt** (*ZIP code: 54915*)

**216. Ryan Hammes** (ZIP code: 54303)

How disgusting this state has deterred people from calling 911!!!! I'm so sad.

**217. Ryan Gregory** (ZIP code: 53012)

**218. Ryan Thurmon** (ZIP code: 53081)

**219. Sarah Reimer** (ZIP code: 54220)

**220. Sara Sandberg** (ZIP code: 53590)

This is how our son died.

**221. Sarah Marcott** (ZIP code: 53719)

**222. savannah Knoke** (ZIP code: 54940)

**223. Brooke McKearn** (ZIP code: 53511)

**224. Scott Stokes** (ZIP code: 54929)

This law needs revision if you want to see OD deaths decrease.

**225. Christopher Seefeldt** (ZIP code: 54220)

**226. Sarah Seibel** (ZIP code: 53916)

**227. Shannon Daly** (ZIP code: 54220 )

**228. Shari Klessig** (ZIP code: 53593)

**229. Sheli Paez** (ZIP code: 54914)

**230. Shelli York** (ZIP code: 53177)

**231. Shelly Silfven** (ZIP code: 53222)

**232. Susan Pivers** (ZIP code: 53072)

**233. Kari skinner** (ZIP code: 54914)

This has to happen.

**234. Lara Boughman** (ZIP code: 53718)

**235. Aidan Smith** (ZIP code: 53018)

**236. Sue Bryntesen** (ZIP code: 54220)

**237. Susan Gehn** (ZIP code: 53575-3217)

**238. Susie Koch** (ZIP code: 53713)

Anyone should be able to make 911 calls without repercussion for any reason. The threat of being arrested leads directly to more death.

**239. Tammy Marino** (ZIP code: 54935)

**240. Tammy Krutz** (ZIP code: 54956)

**241. Tanya Kraege** (ZIP code: 53718)

**242. Tanya Whaley** (ZIP code: 53901)

Please help to many people or leaving people to die or just leaving their bodies to be found later ...I'm signing in memory of my brother who was left and no call was made two days he was left alone

**243. Timothy Bogosh** (ZIP code: 53704)

It's beyond absurd that someone calling 911 because they are around someone overdosing would go to jail for doing so. The only purpose I see for this law is to kill people.

**244. Taylor Koester** (ZIP code: 53593)

**245. Trista James** (ZIP code: 53216)

**246. Theresa Gasser** (ZIP code: 53014)

I have a son in prison because of drugs. These people need to be detoxed before they enter the system, to give them a fighting chance.

**247. Danette Thieme** (ZIP code: 54961)

**248. Tonia Weber** (ZIP code: 53589)

Let someone save a life and not punish them for doing so!!

**249. Trevor Drulia** (ZIP code: 53154)

**250. Tricia Dueck** (ZIP code: 53086)

**251. Tracy Burtis** (ZIP code: 61072)

**252. Travis Imm** (ZIP code: 54970)

Please pass this it really could help save lives

**253. Becci Zaddack** (ZIP code: 53129)

**254. Veronica St.Germaine** (ZIP code: 54303)

**255. Vanessa Hurr** (ZIP code: 53711)

**256. Vickie Bergquist** (ZIP code: 54911)

**257. Amanda Velmer** (ZIP code: 54913)

**258. Sharon Woodruff** (ZIP code: 54982)

**259. Sara Wilcox** (ZIP code: 54977)  
We need to do everything we can to save lives!

**260. William Haeuser** (ZIP code: 53703)

**261. Wendy Izzo** (ZIP code: 54937)  
Save lives

**262. Wendy Rogowski** (ZIP code: 54455)

**263. Angela Levens** (ZIP code: 54235)  
It is important to get these bills passed, we need to change the way we treat addiction. What we've been doing hasn't been working!!! It's time!!! The problem has only become greater, overdose deaths are rising!!!

**264. Zachariah Webster** (ZIP code: 54115)

**265. Alanna Zastrow** (ZIP code: 54220)

**266. Samantha Zastrow** (ZIP code: 54901)



207 East Buffalo Street, Ste 325  
Milwaukee, WI 53202  
(414) 272-4032  
aclu-wi.org

## Wisconsin

February 6, 2024

Chair Wanggaard, Vice-Chair Jacque, and Honorable Members of the Senate Committee on Judiciary and Public Safety:

The American Civil Liberties Union of Wisconsin appreciates the opportunity to provide written testimony in support of Senate Bill 595.

The devastating effects of the American addiction crisis needs no explanation, with countless Wisconsinites being directly impacted. By expanding the Good Samaritan law, 2017 Wisconsin Act 33 was a critical measure for encouraging individuals to call for immediate medical attention in the case of an overdose. In addition to providing aiders and aided persons with immunity or diversion opportunities for limited possession offenses, aiders and aided persons would not face revocation of probation, parole, or extended supervision so long as they completed a treatment program. These protections were sunset in 2020 but their reimplementation is essential for saving lives.

The number one reason people cite for not calling 911 in the event of an overdose is fear of arrest. And it is a strong reason: less than 50% of overdoses result in a call for help.<sup>1</sup> Overdose deaths are often preventable, but like a heart attack, the chance of survival greatly depends on how quickly one receives medical assistance.

According to a fifty-state survey compiled by the Network for Public Health Law, 48 states and the District of Columbia have enacted at least one overdose Good Samaritan law as of May 2023, including 27 states with laws providing protection from probation or parole violations.<sup>2</sup> A 2021 report from the Government Accountability Office that reviewed 17 studies on the effectiveness of Good Samaritan laws found “a pattern of lower rates of opioid-related overdose deaths among states that have enacted [these] laws, both compared to death rates prior to a law’s enactment and death rates in states without such laws.”<sup>3</sup>

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<sup>1</sup> Koester, S., Mueller, S. R., Raville, L., Langegger, S., & Binswanger, I. A., "Why are some people who have received overdose education and naloxone reticent to call Emergency Medical Services in the event of overdose?" *International Journal of Drug Policy*, 48 (October 2017), available at <https://www.ncbi.nlm.nih.gov/pubmed/28734745c>.

<sup>2</sup> “Harm Reduction Legal Project: 50-State Survey,” The Network for Public Health Law (July 2023), <https://www.networkforphl.org/wp-content/uploads/2023/07/Legal-Interventions-to-Reduce-Overdose-Mortality-Overdose-Good-Samaritan-Laws-2.pdf>.

<sup>3</sup> “Drug Misuse: Most States Have Good Samaritan Laws and Research Indicates They May Have Positive Effects,” U.S. Government Accountability Office (March 2021), <https://www.gao.gov/products/gao-21-248>.