

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.ⁱ 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 2013¹ 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.ⁱⁱ 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 annuallyⁱⁱⁱ 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
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ⁱ 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>

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

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

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



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