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H. B. No. 110–Am1736X5
9-1-1 operator provision
Opposition Testimony
by
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Mr. Chairman and members of the committee, the Ohio Association of Chiefs of Police opposes the provision in amendment AM1736X5 that would require 9-1-1 operators to inform callers about the immunity. The Association has consistently opposed this provision under the belief that informing callers about the immunity should not be a function of a 9-1-1 operator. Also, to require 9-1-1 operators to provide immunity information to a caller could, potentially, endanger the person who has overdosed. One of the critical functions of the 9-1-1 operator in many centers is also to provide emergency medical direction to the caller while EMS is en route. Will this provision require the operator to provide immunity information before they give emergency medical directions? With an opiate overdose situation it might be critical to give CPR instructions without delay—this provision could hamper those efforts. In addition, what exactly should the operator tell the caller? Telling the caller about the immunity may generate questions about what is a minor drug possession offense—is the operator qualified to discuss gram amounts and the circumstances that may apply? Does the operator have to ask about community control sanctions or if there have been other immunities granted? Does the operator tell the individual that the immunity does not cover drug paraphernalia or contraband? 9-1-1 operators should be left to answer the next call as opposed to being tied up discussing immunity. Also, what are the consequences if the caller believes there is immunity and in the end the caller does not qualify for immunity—how does this impact the prosecution, credibility, or liability?

Lines 24-28 of the amendment states that operators SHALL receive training. Who puts together the training materials and what do they cover; who is responsible for seeing that operators are actually trained? We contrast this provision with lines 1880-1882 of the amendment. This provision amends current law section 4742.03 which states that an operator MAY obtain certification by completing a basic training course which must include training on informing callers about the immunity. Those who seek certification in the future would be trained under the course conducted by the state board of education. Again, it is unclear about training for current operators and new operators who choose not to become certified.

Mr. Chairman, the Association, like the amendment proponents, are very concerned about saving lives and must admit that the April 21st letter from the five medical groups is compelling. The letter states that a 2013 survey showed that while only 58% of individuals called 9-1-1 after the most recent overdose they witnessed, whereas, 94% reported that they would be willing to call 9-1-1 in the event of an overdose if Ohio had a Good Samaritan Law. However, having an operator tell the caller about the immunity, after they have already called, does not seem to play into these statistics

or scenarios.

We understand that there have been concerns expressed concerning the caller asking the 9-1-1 operator if police are to be notified. The Association believes that most people assume they are calling the police when they dial 9-1-1 (statewide the message of call 9-1-1 is on most police cruisers). Also, in many jurisdictions, EMS will require or request law enforcement to respond to the scene for safety purposes or due to agency requirements.