

ASSEMBLY BILL NO. 578
(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 578 (First Reprint) with my recommendations for reconsideration.

This bill seeks to encourage witnesses and victims of drug overdoses to seek medical assistance by granting broad immunities from criminal prosecution for users of dangerous and illegal narcotics.

I have long shared the sponsors' concerns over the dangers and tragic consequences of illegal drug use. Recently, I followed through on my commitment to enact smarter and more effective approaches in how our State treats drug-addicted offenders by signing into law landmark, bipartisan legislation to put in place a Statewide, mandatory drug court program. My drug court proposal recognizes that the State's commitment to our most vulnerable and most needy requires innovative ways to intervene in the lives of those who have succumbed to the empty temptations of drug addiction. Once fully phased in over the next five years, this program will provide mandatory drug treatment to appropriate offenders who are not a threat to society and who suffer from the disease of addiction, redeeming lives and healing families.

This bill as drafted, however, fails to carefully consider all the interests that must be balanced when crafting immunities to the protections provided in our criminal laws. Thus, although the bill addresses perceived impediments to reporting drug overdoses, the proposal fails to consider the existing approaches to deterrence, public safety, prevention of violence, and the many social problems that accompany the rampant proliferation of drug distribution and use. Accordingly, the

more reasoned and practical approach is to address these issues comprehensively and holistically, rather than by simply removing criminal liability and exposure to punitive measures.

Therefore, I return this bill with my recommendations to direct the Division of Criminal Justice within the Department of Law and Public Safety to study the issue of drug overdose reporting, and to provide my Administration and the Legislature with recommendations on a comprehensive approach to addressing this issue.

Accordingly, I herewith return Assembly Bill No. 578 (First Reprint) and recommend that it be amended as follows:

Page 2, Title, Lines 1-3:

Delete "concerning ¹[drug overdose prevention] criminal liability for persons seeking medical assistance in response to drug overdoses,¹ and supplementing Title 2C of the Revised Statutes" and insert "requiring a study of issues related to drug overdose reporting"

Page 2, Line 8:

Insert new section 1:

"1. a. The Division of Criminal Justice in the Department of Law and Public Safety, in consultation with the Governor's Task Force for Recidivism Reduction, shall study the issue of drug overdose reporting.
b. This study shall include relevant statistical and other analyses of drug overdose cases, law enforcement responses, criminal justice system responses, prevention modalities, policies and procedures as promulgated or ordered by the Attorney General or the Supreme Court, and use of available community resources, support services, available sanctions, and treatment options.
c. The Attorney General shall report the findings and recommendations of the study to the Governor and Legislature no later than

eighteen months after the effective date of this act."

<u>Page 2, Section 1, Lines 8-9:</u>	Delete in their entirety
<u>Page 2, Section 2, Lines 11-20:</u>	Delete in their entirety
<u>Page 2, Section 3, Lines 22-33:</u>	Delete in their entirety
<u>Page 2, Section 4, Lines 35-42:</u>	Delete in their entirety
<u>Page 3, Section 4, Lines 1-45:</u>	Delete in their entirety
<u>Page 4, Section 4, Lines 1-2:</u>	Delete in their entirety
<u>Page 4, Section 5, Lines 4-45:</u>	Delete in their entirety
<u>Page 5, Section 5, Lines 1-10:</u>	Delete in their entirety
<u>Page 5, Section 6, Lines 12-18:</u>	Delete in their entirety
<u>Page 5, Section 7, Lines 20-24:</u>	Delete in their entirety
<u>Page 5, Section 8, Line 26:</u>	Delete "8" and insert "2"

Respectfully,

/s/ Chris Christie

Governor

[seal]

Attest:

/s/ Charles B. McKenna

Chief Counsel to the Governor