

Bill grants immunity to underage drinkers who seek help for friends

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INDIANAPOLIS – Many parents and students know the feeling of losing a child or friend to an alcohol-related death. Lawmakers in Indiana say they want to adopt a measure to prevent some of those deaths from happening.

Senate Bill 274 would grant immunity from arrest and prosecution to anyone who called in reporting someone else needed medical help due to alcohol. That means that a friend who calls to report that a high school or college student has passed out or is in danger won't be subject to legal penalties for being at a place where underage drinking has taken place.

Sen. Randy Head, R-Logansport co-authored SB 274. He said many students are scared to call for help because they are afraid that they might get arrested for underage drinking.

"What we are trying to achieve is a policy that encourages people to call for help when help is needed," Head said.

Head said the immunity would be limited. It only extends to the person who makes the call and then only if that person meets certain requirements. They include complying with the police officer, giving a full name and staying at the scene until the officer and emergency medical services left.

The crimes that person would be immune from are public intoxication, intoxication on a common carrier and minor possession, consumption or transportation of alcohol. Any other offense the caller commits would be a punishable offense.

Head said that he and co-author Sen. Jim Merritt, R-Indianapolis, started on this bill when student members from Indiana University, Purdue University, Ball State University and the University of Southern Indiana brought it to their attention. The students said they were tired of seeing friends die because people were unwilling to call for help.

"Every alcohol-related death is completely preventable, if medical attention is sought for the student," said Justin Kingsolver, the student body president at I.U.

Kingsolver went on to say that other colleges have created policies like SB 274, including Cornell University. Since its enactment, he said, Cornell has not seen an increase in underage drinking but saw a substantial increase in the number of people who called seeking medical attention for their friends.

Suzanne O'Malley testified for the Indiana Prosecuting Attorneys Council. She said she that there are problems with trying to solve social problems with criminal statutes. She questioned whether this was too broad of a bill in dealing with a relatively small number of college students. She also said it be seen as a loophole to get entire groups of people out of trouble.

O'Malley's concerns did not trouble Sen. Sue Glick, R-LaGrange, who said she was sure students or anyone

else would not call police unless someone was in dire need of help.

The bill passed the Senate Judiciary Committee unanimously and now moves to the full Senate.

Zach Osowski is a reporter for TheStatehouseFile.com, a news website powered by Franklin College journalism students.

