

Chair Mihaly,

I am writing with the following memo about the phenomenon of individuals being fearful of calling 911 during an overdose for fear of eviction. In 2013 Vermont passed with overwhelming bipartisan support a "good samaritan" statute protecting people from facing criminal sanction for reporting an overdose. **The goal of this law is to save lives first.**

As State Police Colonel Matt Birmingham said in a press release promoting the law: "When you are in an emergency situation, we don't want you to hesitate or wonder whether calling 9-1-1 is the right thing to do. It is!" said Col. Matthew T. Birmingham, director of the Vermont State Police. "Saving a life is the most important thing. Those of us in law enforcement want you to know that we are there to help with the health and safety of victims of a drug overdose. We want you to remember that you will not face criminal consequences, and you could save your loved one's life!" <https://howardcenter.org/wp-content/uploads/2021/04/Good-Samaritan-Law-Press-Release.pdf>

The latest figures from the Vermont Department of Health show that despite a dip from all time highs there were still 148 fatal overdoses in Vermont as of November, 2025. When we passed this law we did not include a provision that protected people from eviction were they to call 911 in response to an overdose. At the time that was an oversight. While we don't have direct data on evictions related to calling 911 for overdoses, we know from speaking to housing advocates that the issue of people being evicted for calling 911 for an overdose is common in Vermont. Other states have seen a rise in the same issue. The following is a collection of articles and studies addressing these issues from across the country. As we can see from the materials it has become clear that fear of eviction has become a major obstacle to people calling 911 for help. We have an opportunity in Vermont to affirm to our citizens that we care about saving their lives first and foremost and the suggested language making that clear will send that message clearly.

Thank you for your time and consideration of this important issue and I look forward to discussing it further with you and the Committee.

Best,
David

Eviction after overdose is a common problem:

- In [Illinois](#) and other [states in the Midwest](#)
- In [West Virginia](#)
- In [Massachusetts](#)
- In [Minnesota](#)

We also know that Fear of eviction is a common reason not to call for help during an overdose:

- <https://www.sciencedirect.com/science/article/pii/S0955395922001335>
 - PWUD report concerns surrounding police attendance at overdose events and possession of drugs or paraphernalia, unwanted surveillance, being arrested for outstanding warrants and/ or misdemeanors, being identified as a homicide suspect, being involved in drug supply investigations, and **having housing compromised.**
- <https://www.sciencedirect.com/science/article/pii/S0955395924002433>
 - The primary barrier to calling 911 pertained to concerns about police arriving with other first responders, especially regarding their presence and involvement at the scene of overdose. This was followed by legal repercussions, including fear of arrest, incarceration, and **fear of eviction**, amongst others.
- <https://www.sciencedirect.com/science/article/pii/S0955395919300143?via%3Dihub>
 - Reluctance in calling 9-1-1 is often driven by lay responders' concerns about police presence or harassment, child custody, illicit drug possession, **eviction**, lack of access to a phone, previous negative experience with first responders, or respect for the high or privacy of the overdose victim

Research showing that evictions (including those following overdose or other “nuisances”) are correlated with increased overdose risk:

- https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4232271
 - Nuisance ordinances are municipal-level laws which penalize landowners, often financially, for tenants who exhibit any behavior that has been defined as a nuisance (such as repeated calls to 911, assault, or drug-related activity). These policies, aimed at discouraging unwanted behavior and reducing police department burden, force landowners to abate the nuisance in order to prevent the penalty. Often, the means of abatement is eviction. Thus, nuisance ordinances might discourage tenants from calling 911 for assistance in a variety of situations (including substance-use related emergencies) in order to avoid increasing the likelihood of an eviction, or may directly increase the rate of evictions regardless of 911 hesitancy. If either outcome occurs, we would expect an increase in substance-use related mortality. This study explores the relationship between nuisance ordinances and drug-related mortality rates using data on all nuisance ordinances in Ohio from 1999 to 2017. I find that these laws cause an increase in county-level mortality rates from accidental opioid-, alcohol-, cocaine-, and benzodiazepine-related overdoses. I also find evidence that nuisance ordinances lead to increases in city-level eviction rates and have a greater impact on dead-on-arrival deaths compared to deaths occurring in hospitals, potentially explaining two pathways between nuisance ordinance adoption and drug-related mortality events.
- <https://bmjpublichealth.bmj.com/content/bmjph/2/1/e000756.full.pdf>
 - In this 6-year population-based study, we found a direct, dose–response, census tract-level association between residential eviction and fatal

overdose rates in the absence of a statewide eviction moratorium (ie, during the 4 years prior to the COVID-19 pandemic). These results highlight a neighbourhood-level relationship between residential eviction and fatal overdose prior to the COVID-19 pandemic and suggest that pandemic-era policy interventions to prevent evictions may have had additional benefits vis-à-vis overdose risk. Enhanced investment in eviction prevention policies, such as rent relief and Just Cause rules that limit the circumstances under which landlords can file for eviction, may complement ongoing harm reduction efforts in the state to mitigate neighbourhood-level overdose inequalities. It may also be true that efforts to destigmatise drug use and address overdose mortality (eg, through harm reduction approaches) could serve to reduce housing insecurity.

- <https://pmc.ncbi.nlm.nih.gov/articles/PMC6980953/>
 - Higher eviction rates are associated with higher rates of substance-use related deaths
- <https://pmc.ncbi.nlm.nih.gov/articles/PMC9302017/>

Eviction after overdose exacerbates racial disparities

- https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3331751
 - The Article contends that crime-free housing ordinances enable racial segregation by importing the racial biases, racial logics, and racial disparities of the criminal legal system into private housing markets.