Proposal for Good Samaritan Policy
Senate Task Force to Address Sexual Violence and Survivor Support

Rationale: Recognizing that the threat of punitive policies can cause hesitation during stressful and confused situations, universities and communities around the country have adopted Good Samaritan policies that protect from liability those who seek medical attention as a result of illegal actions.

The Oregon State Legislature signed a Good Samaritan law, OR House Bill 4094 into effect in February 2014. This law gives medical amnesty specifically to minors in possession of alcohol in the special case that they are getting a person medical attention due to an alcohol overdose. With regard to sexual assault, the Senate Bipartisan Campus Accountability and Safety Act is including a provision that will stipulate that “To encourage individuals to come forward with reports about sexual violence, schools will no longer be allowed to sanction a student who reveals a violation in good faith, such as underage drinking, in the process of reporting a sexual violence claim.”

When incidents involve sexual misconduct, it is in the best interests of the UO community that as many victims as possible choose to report to University officials. To encourage reporting of incidents of sexual misconduct, UO offers victims of sexual misconduct -- as well as bystanders -- protection from being charged with alcohol or drug policy violations that may have arisen in relation to a sexual misconduct incident.

The existence of a Good Samaritan Policy is essential to ensuring that college students in particular are able to stay alive and receive help when they are in trouble. While it is the practice at UO not to charge students with violations in instances of sexual assault or medical emergency, there is currently no formal Good Samaritan Policy.

Policy: While the University does not condone underage drinking or violation of other University policies, it considers both the safety of our students and an environment that is conducive to the reporting of sexual misconduct to be of paramount importance. Consequently, no student experiencing or reporting sexual misconduct or seeking medical assistance for an alcohol or other drug-related emergency will be subject to University disciplinary action for the violation of possession or consumption of alcohol or drugs. This policy extends to students who experience or report sexual misconduct, or who call for medical assistance.

In order to receive amnesty, students must use the policy proactively. This means that a student must take the initiative to get assistance from an RA, a UOPD officer, or 911 at the time of the incident. In cases of a medical emergency involving drugs or alcohol, the primary concern is the health and safety of the individual(s) involved. Students are strongly encouraged to call for medical assistance (911) for themselves or for another student who they observe to be dangerously intoxicated/under the influence of alcohol or drugs. If a student calls on behalf of another student, that student is required to remain with the student experiencing the emergency until medical assistance arrives.

There is no limit to the number of referrals a student may give or receive. However, in consistently putting the student’s health and safety first, the University will approach
serious or repeated incidents with a higher degree of concern and a higher level of intervention. This Good Samaritan policy should not be abused. This policy does not protect from disciplinary action students who are found to be in violation of other University policies. Likewise, this policy does not prevent action by police or other law enforcement personnel. The Good Samaritan Policy does not grant amnesty to possession with intent to distribute drugs.