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SUMMARY
October 29, 2026

2026 COA 76

No. 24CA0157, *People v. Williams* — Criminal Law — Justification and Exemptions from Criminal Responsibility — Immunity for Persons Who Suffer or Report an Emergency Drug or Alcohol Overdose Event — Reporter’s Identity

Colorado’s 911 Good Samaritan Law, section 18-1-711, C.R.S. 2026, grants immunity from arrest and prosecution to a person who “reports in good faith an emergency drug or alcohol overdose event,” provided that certain conditions are satisfied. One such condition requires the reporting party to “identif[y]” herself to a law enforcement officer, emergency medical responder, or medical provider. § 18-1-711(1)(c). Because the defendant withheld her name from officers at the scene, the district court concluded that she failed to “identif[y]” herself and was therefore ineligible for the statute’s protection.

A division of the court of appeals disagrees. The division holds that the statute requires a good faith reporter to identify herself only as the reporting party — that is, the person who reported the overdose “to a law enforcement officer, to the 911 system, or to a medical provider,” or who aided or sought aid “for the person who suffered the emergency drug or alcohol overdose.” § 18-1-711(1)(a). Because the defendant satisfied the statute’s requirements, she was entitled to immunity from prosecution. Accordingly, the division vacates the defendant’s convictions and remands the case to the district court to dismiss the charges.

Court of Appeals No. 24CA0157
City and County of Denver District Court No. 22CR5426
Honorable Adam J. Espinosa, Judge
Honorable Eric M. Johnson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jordyn M. Williams,

Defendant-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE YUN
Fox and Martinez*, JJ., concur

Announced October 29, 2026

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*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2026.

¶ 1 No good deed goes unpunished. Such, apparently, was the predicament facing Jordyn M. Williams. After her roommate suffered a drug overdose, Williams called 911, remained at the scene, and cooperated with emergency medical personnel as they rendered aid. Although her actions helped save her roommate’s life, Williams was later charged with and convicted of possessing controlled substances.

¶ 2 Colorado’s 911 Good Samaritan Law, section 18-1-711, C.R.S. 2026, grants immunity from arrest and prosecution to a person who “reports in good faith an emergency drug or alcohol overdose event,” provided that certain conditions are satisfied. One such condition requires the reporting party to “identif[y]” herself to a law enforcement officer, emergency medical responder, or medical provider. § 18-1-711(1)(c). Because Williams withheld her name from officers at the scene, the district court concluded that she failed to “identif[y]” herself and was therefore ineligible for the statute’s protection.

¶ 3 We disagree with that interpretation. Properly construed, the statute requires a good faith reporter to identify herself only as the reporting party — that is, the person who reported the overdose “to

a law enforcement officer, to the 911 system, or to a medical provider,” or who aided or sought aid “for the person who suffered the emergency drug or alcohol overdose.” § 18-1-711(1)(a). Nothing in the statute requires the reporter to disclose her name. Because Williams satisfied the statute’s requirements, she was entitled to immunity from prosecution.

¶ 4 Accordingly, we vacate Williams’s convictions and remand the case to the district court to dismiss the charges.

I. Background

¶ 5 In September 2022, Williams called 911 to report that her roommate had swallowed an unknown quantity of sleeping pills and had cut his wrists. She remained on the line with dispatch for over eighteen minutes, during which she answered questions about the roommate’s mental health history, prescription medications, height, weight, and alcohol consumption; reported changes in his complexion; monitored his breathing by reporting each time his chest rose; confirmed her callback number; and answered her phone again when the line disconnected and the 911 operator called her back. The operator told her she was “doing a great job” and “saving a life right now.”

¶ 6 When police and paramedics arrived, Williams thanked them fervently, directed them to her roommate, and explained that he had taken the pills by his bed. As paramedics attended to the roommate, a police officer asked Williams for her name. Williams identified herself as the person who called 911, described her friendship with the roommate, and recounted the events preceding his suicide attempt. But she declined to give her name. She told the officer that she was “just trying to be a good person” and “do the right thing.”

¶ 7 Police eventually learned Williams’s name, discovered that she had warrants for her arrest, handcuffed and searched her, and found small quantities of several drugs on her person. The People charged her with a level 4 drug felony for unlawful possession of fentanyl and four level 1 drug misdemeanors for unlawful possession of methamphetamine, dimethyltryptamine, cocaine, and amphetamine.

¶ 8 Before trial, Williams moved to dismiss the charges based on statutory immunity under section 18-1-711. Under that statute, a person is immune from arrest and prosecution for certain offenses,

including possession of a controlled substance, if the following conditions are satisfied:

- (a) The person reports in good faith an emergency drug or alcohol overdose event to a law enforcement officer, to the 911 system, or to a medical provider, or the person aids or seeks aid for the person who suffered the emergency drug or alcohol overdose;
- (b) The person remains at the scene of the event until a law enforcement officer or an emergency medical responder arrives or the person remains at the facilities of the medical provider until a law enforcement officer arrives;
- (c) The person identifies himself or herself to, and cooperates with, the law enforcement officer, emergency medical responder, or medical provider; and
- (d) The offense arises from the same course of events from which the emergency drug or alcohol overdose event arose.

§ 18-1-711(1).

¶ 9 At a pretrial hearing, the district court heard testimony from two police officers, reviewed body-worn camera footage of the incident, and listened to the 911 calls. The court concluded that Williams had satisfied all but one of the statutory requirements. By declining to give her name, the court found, Williams failed to “identif[y] . . . herself,” as required by section 18-1-711(1)(c).

¶ 10 At trial, a jury of six convicted Williams of unlawful possession of fentanyl, methamphetamine, and cocaine and acquitted her of the other charges. The district court sentenced her to 180 days in county jail.

¶ 11 Williams now appeals.

II. Analysis

¶ 12 Williams contends the district court erred by (1) holding that, to “identif[y] . . . herself” under the 911 Good Samaritan Law, she was required to give her name; (2) precluding her from asserting good faith reporting of an overdose as an affirmative defense; (3) failing to recognize, without the benefit of objection, that the statute establishing a level 4 drug felony punishable only as a misdemeanor is contrary to the Colorado Constitution’s definition of a felony; and (4) violating her right under the Colorado Constitution to a jury of twelve on the felony charge. Because we agree with the first contention and vacate the convictions, we need not address the other three contentions.

A. Standard of Review

¶ 13 In reviewing a district court’s pretrial immunity ruling, we defer to the court’s factual findings unless they are clearly

erroneous and review de novo whether the court applied the correct legal standard. *People v. Alaniz*, 2016 COA 101, ¶ 40. Because this appeal turns on the meaning of the word “identif[y]” in the 911 Good Samaritan Law, we apply familiar principles of statutory construction.

¶ 14 Statutory interpretation is a question of law that we review de novo. *People v. Rieger*, 2019 COA 14, ¶ 8. Our goal is to effectuate the General Assembly’s intent, and, in doing so, “we look first to the language of the statute itself, reading words and phrases in context and construing them according to rules of grammar and common usage.” *Id.* at ¶ 9 (quoting *People v. Butler*, 2017 COA 117, ¶ 24). We consider the statute as a whole, striving “to give consistent, harmonious, and sensible effect to all its parts.” *People v. Garcia*, 2016 COA 124, ¶ 9 (quoting *People v. Dist. Ct.*, 713 P.2d 918, 921 (Colo. 1986)).

¶ 15 “The plainness or ambiguity of statutory language is determined by reference to the language itself, the specific context in which that language is used, and the broader context of the statute as a whole.” *People v. Hill*, 228 P.3d 171, 173-74 (Colo. App. 2009) (quoting *Robinson v. Shell Oil Co.*, 519 U.S. 337, 341 (1997)).

If the statute’s language is clear, we must apply it as written and need look no further. *Rieger*, ¶ 10. But if the language is ambiguous — meaning it is “reasonably susceptible of multiple interpretations” — we may turn to other tools of statutory interpretation to determine the General Assembly’s intent, including the object sought to be attained, the legislative history, the consequences of a particular construction, and the legislative declaration or purpose. *Hice v. Giron*, 2024 CO 9, ¶ 10 (quoting *McBride v. People*, 2022 CO 30, ¶ 23); § 2-4-203(1), C.R.S. 2026.

B. The Statute Is Ambiguous

¶ 16 Both parties refer to Merriam-Webster’s online dictionary to support their competing views of the statute’s plain meaning. That dictionary defines “identify” as “to perceive or state the identity of (someone or something)” or “to ascertain the identity of (someone or something that is unfamiliar or unknown).” Merriam-Webster Dictionary, <https://perma.cc/6RA2-68TY>. “Identify oneself” is defined as “to say who one is,” illustrated by the example: “When the police asked his name, he refused to *identify himself*.” Merriam-Webster Dictionary, <https://perma.cc/WG6F-WEAF>. “Identity” is defined as “the distinguishing character or personality of an

individual” or “who someone is: the name of a person.” Merriam-Webster Dictionary, <https://perma.cc/5XF3-RL2Y>.

¶ 17 Based on these definitions, the People argue that “identity” necessarily includes a person’s name and that the statute requires a good faith reporter to provide her name to “identif[y]” herself.

§ 18-1-711(1)(c).

¶ 18 Williams, on the other hand, argues that a person’s “identity” lies in her distinguishing characteristics relevant to the situation. She contends that the statute requires a good faith reporter to identify herself only *as the person who called 911* or otherwise sought aid for the overdose victim. This reading, she asserts, makes sense when the statute is read as a whole because the reporter’s identity as the person who reported the overdose event is relevant to her ability to cooperate with and provide information to emergency responders, while her legal name is not.

¶ 19 Because each party advances a reasonable interpretation of the statutory text, we conclude that the statute is ambiguous. See *Hice*, ¶ 10. We therefore turn to other tools of statutory interpretation to discern the General Assembly’s intent.

C. The Reporter Must Identify Herself as the Reporting Party

¶ 20 Having determined that the statute is ambiguous, we agree with Williams that the General Assembly intended to protect a good faith reporter from arrest and prosecution if, in addition to meeting the other statutory requirements, the reporter identifies herself *as the reporting party* — that is, as the person who reported the emergency overdose to law enforcement, the 911 system, or a medical provider, or who aided or sought aid for the overdose victim. § 18-1-711(1)(a), (c). We reach this conclusion for two reasons.

¶ 21 First, the canon of *in pari materia* requires statutes to be read together when they “relat[e] to the same subject or hav[e] the same general purpose.” *R.E.N. v. City of Colorado Springs*, 823 P.2d 1359, 1364 n.5 (Colo. 1992). We thus construe the 911 Good Samaritan Law together with section 18-13-122(7), C.R.S. 2026 (the underage immunity statute), which offers similar protection from arrest and prosecution to underage individuals who report alcohol- or marijuana-related emergencies. Unlike the 911 Good Samaritan Law, which requires the reporter to “identif[y] himself or herself,” the underage immunity statute explicitly requires the reporter to

“provide[] his or her name to the 911 operator.”

§ 18-13-122(7)(a)(II). By employing different language in the two statutes, the General Assembly signaled its intent that those provisions carry different meanings. *See People v. Rediger*, 2018 CO 32, ¶ 22 (“Our precedents clearly instruct . . . that ‘the use of different terms signals an intent on the part of the General Assembly to afford those terms different meanings.’” (quoting *Robinson v. Colo. State Lottery Div.*, 179 P.3d 998, 1010 (Colo. 2008))).

¶ 22 Importantly, the *same* bill that created the 911 Good Samaritan Law also amended the underage immunity statute’s provision requiring an underage person to provide her name to the 911 operator, revising that language to its current form. Ch. 225, secs. 2, 8, §§ 18-1-711, 18-13-122(4.5)(b), 2012 Colo. Sess. Laws 986-88, 989 (The language previously read, “An underage person and one or two other persons shall be immune from criminal prosecution . . . if they establish [that] [t]he underage person who called 911 and, if applicable, one or two other persons acting in concert with the underage person who called 911 provided each of their names to the 911 operator.”). When, as here, the General

Assembly “includes particular language in one section of a statute but omits it in another section of the same Act, it is generally presumed that [the General Assembly] acts intentionally and purposely in the disparate inclusion or exclusion.”

Abu-Nantambu-El v. State, 2018 COA 30, ¶ 10 (quoting *United States v. Pauler*, 857 F.3d 1073, 1076 (10th Cir. 2017)). That choice is particularly significant here because the same bill that enacted the 911 Good Samaritan Law amended the corresponding provision of the underage immunity statute. We therefore give considerable weight to the General Assembly’s decision to use different terms (“identifies himself or herself” versus “provided his or her name”) in the different statutes.¹ §§ 18-1-711(1)(c), 18-13-122(7)(a)(II).

¶ 23 Second, the legislative declaration accompanying the 911 Good Samaritan Law — and the negative consequences of

¹ We also agree with Williams that it makes sense for the General Assembly to treat children and adults differently in this context. When an underage person reports an alcohol- or marijuana-related emergency, responders might need to know the name of the reporting child to return the child to the safe supervision of a parent or guardian. No such concern is present with an adult reporter.

interpreting “identif[y]” to include the reporter’s name — supports Williams’s position.

¶ 24 When construing legislative intent, we may consider the legislative declaration of purpose. *City & County of Denver v. Bd. of Assessment Appeals*, 30 P.3d 177, 183 (Colo. 2001); *see also City & Cnty. of Denv. Sch. Dist. No. 1 v. Denv. Classroom Tchrs. Ass’n*, 2017 CO 30, ¶ 11 (“Perhaps the best guide to intent is the declaration of policy which frequently forms the initial part of an enactment.” (quoting *St. Luke’s Hosp. v. Indus. Comm’n*, 349 P.2d 995, 997 (Colo. 1960))); § 2-4-203(1)(g). In enacting the 911 Good Samaritan Law, the General Assembly stated that its intent was to save lives by encouraging individuals to report overdoses without fear of criminal prosecution:

Legislative declaration. (1) The general assembly hereby declares that Colorado has a strong interest in preventing deaths that result from the use of drugs and alcohol.

(2) The general assembly further declares that:

(a) The creation of a safe haven provision within the state’s criminal statutes for a person who reports in good faith an emergency drug or alcohol overdose event serves the state’s interest in preventing further deaths from the use of drugs and alcohol; and

(b) By creating such a safe haven provision, *the general assembly intends to encourage:*

(I) *Persons who otherwise would be reluctant to report such an event due to a fear of criminal prosecution to do so without delay; and*

(II) *Persons who abuse alcohol or drugs to seek treatment and assistance as necessary to obtain a safer, healthier lifestyle.*

Ch. 225, sec. 1, 2012 Colo. Sess. Laws 986 (emphasis added).

¶ 25 The declaration makes clear that the statute creates “a safe haven provision” to encourage individuals “who otherwise would be reluctant to report [an overdose] due to a fear of criminal prosecution to do so without delay.” *Id.* Williams, who had outstanding warrants, is a good example of such an individual. As the People note, the 911 Good Samaritan Law “does not provide sweeping immunity for all crimes, past and present. Rather, it provides immunity for certain drug offenses . . . tied to the incident giving rise to the report of [the] overdose event.” *See* § 18-1-711(1)(d). Requiring Williams to give her name to police would thus frustrate the General Assembly’s purpose, since she could still be arrested and prosecuted in connection with her unrelated outstanding warrants. Put differently, such an

interpretation would, in this case, have left intact the very fear of criminal consequences that the statute seeks to eliminate.

¶ 26 The People counter that, if we interpret the statute to require a good faith reporter to identify herself only as the reporting party, it is possible that “a reporting party could escape detection for other (potentially . . . serious) offenses.” But the purpose of the 911 Good Samaritan Law is not to help law enforcement solve crimes. Instead, as the legislative declaration makes clear, the statute’s purpose is to “prevent[] deaths that result from the use of drugs and alcohol.” 2012 Colo. Sess. Laws at 986. As the bill’s co-sponsor said, the General Assembly’s intent was to “send a very strong message to the general public and law enforcement that saving lives is much more important than putting people into the criminal justice system.” Hearing on S.B. 12-020 before the S. Judiciary Comm., 68th Gen. Assemb., 2d Reg. Sess. (Feb. 1, 2012) (statement of Sen. Aguilar).

¶ 27 Moreover, as Williams points out, Colorado law already supplies law enforcement with the ability to conduct criminal investigations and ask for a person’s name if they suspect a crime has occurred. See § 16-3-103(1), C.R.S. 2026 (“A peace officer may

stop any person who he reasonably suspects is committing, has committed, or is about to commit a crime and may require him to give his name and address, identification if available, and an explanation of his actions.”). Accordingly, our interpretation of the 911 Good Samaritan Law will not hinder law enforcement operations when there is a reasonable suspicion of criminal activity.

¶ 28 We therefore conclude that a good faith reporter satisfies section 18-1-711(1)(c) by identifying herself as the person who reported the overdose or sought aid for the overdose victim. The statute does not require disclosure of the reporter’s name.

III. Disposition

¶ 29 We vacate Williams’s convictions and remand the case to the district court to dismiss the charges against her.

JUDGE FOX and JUSTICE MARTINEZ concur.