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Your name	Bill Dimmock
Your email	trapper101@aol.com
Subject	AED at Community Center
Message	<p>Hello All, At the CIA Executive Meeting that was held tonight this email from Sharon Shermon was shared regarding the on-site AED at the community center. I was asked to share with the WB for your input. The CIA will share this information at the Next CIA Meeting scheduled for 1/25/26. Best Bill Dimmock ----- Forwarded Message ----- From: Sharon Lynn Sherman <rokbums1951@gmail.com> To: "trapper101@aol.com" <trapper101@aol.com> Sent: Thursday, November 13, 2025 at 08:45:15 AM PST Subject: AED and liability The following memo is written in response to your eMail inquiring as to the applicability of a "Good Samaritan law" regarding the AED located in the Community Center and who would be covered under the Good Samaritan law for its use in a medical emergency. You also inquired as to whether signage and documented testing of the AED unit is required and if any liability might outweigh the potential life saving aspect of having an AED on property. While the US Federal Government does not have legislation enacting a Good Samaritan Law, every one of our fifty states does have such protection for an individual citizen who comes forward to assist a person in the throes of a medical or other emergency. California's Good Samaritan Law can be found at California's Good Samaritan law, found in Health and Safety Code Section 1799.102 and related legislation, and protects individuals from civil liability for providing emergency aid in good faith at the scene of an incident requiring medical treatment. It absolves a person from liability for helping another when the outcome of that help fails to produce a positive result, even if the person helped dies. There is coverage for someone who utilizes an AED on a person suffering from a heart attack or other cardiac emergency. These laws, however, have certain requirements to be followed, which must be carried out to limit liability. First, the location of an AED must be reported and registered with the closest Emergency Medical Service Agency (EMS), which is the system that provides emergency medical care for patients in pre-hospital settings. Shelter Valley does not appear to have an authorized EMS agency. To find out the closest EMS agency to Canebrake I advise contact being made to the San Diego County Fire Protection District or the Ocotillo Volunteer Fire Department for information. Secondly, when it becomes clear there is a medical emergency which requires the use of an AED, 911 must be immediately called, with a complete report being given and a request for aid to be dispatched being made. Only then should assistance be undertaken and such assistance must be provided with good intent, reasonableness and without gross negligence. Without those factors being present, liability may attach. Gross negligence is defined under California law as the lack of care and a disregard of what a reasonably careful person would do in the same situation. In the case of an AED being used, I would argue that gross negligence could and should also be construed as the owner of the AED, or the owner of the place where the AED is housed failing to maintain the AED in good working order. In the case at hand, that would be, in my opinion, the Canebrake County Water Board, as the owner of the Community Center where the AED is kept, and the Canebrake Improvement Association which, I believe, purchased the AED for use by persons using the Community Center. Therefore, it is imperative that the AED be properly maintained on a regular schedule by both of these entities. The</p>

AED we have should indicate how often the unit should undergo maintenance. Next, during a cardiac emergency situation, the person(s) present should be asked if any of them are familiar with the use of an AED, and those who are familiar with the use of an AED being the one(s) to turn it on and follow the prompts to assist the person needing attention. To that end, I would advise that all members of the Water Board and all CIA officers be trained on a regular basis in the proper use of the AED. Such training should also be open to any person willing and wanting to be instructed in its use. The AED we have should provide written guidance as to how often this training should be required. If it does not, I advise you contact the manufacturer to determine what is appropriate. While signage is not required under California Law, I do think it wise to post what is required for the use of our AED. Also, I would suggest posting the prompts in large type, in a prominent place, so no one has to rely only on what is provided in the instructions on the AED. All of this being considered and based on the existing law in California, potential liability for the use of the AED does not outweigh its potential life saving use. Thank you for allowing me to render this legal opinion.

Attachment	
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