

Good Samaritan Laws – §13-21-108 (Rendering Assistance) & C.R.S. §18-1-711 (911)

Overview:

- Under Colorado's Good Samaritan laws, volunteers cannot be held civilly liable for rendering aid or counseling during a crisis, so long as they act in good faith. This simply requires responding in a way a reasonable person would to the situation. If the call relates to a drug or alcohol overdose or crisis, volunteers can advise callers to stay at the scene and assist, and neither the caller nor volunteer will be held criminally liable.

Good Samaritan Laws (Rendering Assistance):

- <https://law.justia.com/codes/colorado/2016/title-13/damages-and-limitations-on-actions/article-21/part-1/section-13-21-108/>
- C.R.S. §13-21-108 (4)(a) is relevant to AAH's phonenumber efforts:
 - o Any person acting as a volunteer for any nonprofit organization operating a telephone hotline that answers questions or provides counseling during a crisis situation shall not be liable for any civil damages for acts or omissions made in good faith as a result of discussions or counseling provided on the hotline.
 - o In essence, so long as operators are acting in good faith in providing counsel, they cannot be sued by those who call the hotline, nor can the organization.
 - o Translating 911 calls in three way formats only need to be translated in good faith to avoid civil liability.

Good Samaritan Laws (911)

- https://leg.colorado.gov/sites/default/files/2016a_1390_signed.pdf
- C.R.S. §18-1-711 is relevant in a much more narrow fashion:
 - o In general, the 911 Good Samaritan Law states that a person is immune from criminal prosecution for an offense when the person reports, in good faith, an emergency drug or alcohol overdose even to a law enforcement officer, to the 911 system, or to a medical provider.
 - o If a caller has done something illegal but needs aid and a volunteer calls 911 for their behalf, they are shielded from any criminal liability.
 - o Translating calls on behalf of the person suffering from the drug or alcohol related emergencies does not increase liability. Inversely, the immunity created also extends to the person who suffered the emergency.
 - o If someone is calling on behalf of someone else suffering the emergency, they too are shielded from liability if they remain onsite until assistance arrives.
 - o In conclusion, though narrowly focused on calls generally related to overdose or drug or alcohol related emergencies, all parties rendering assistance cannot be held criminally liable.

Failure to Call 911

- There is no affirmative duty to call 911 even if someone knows or should know that another person is in need in Colorado. Liability would only arise if a volunteer states they will call 911, the caller relies on that statement, and 911 is not called. Otherwise, 911 should only be called if requested.