

Good Samaritan Law Extension Studied

By VINCENT THOMAS
 Assemblyman, 6th District
 How far a person is supposed to go in aiding another individual who is in real or apparent physical distress is a matter with far-reaching legal consequences. The many cases reported in papers where passers-by have ignored cases of assault, or even of murder, occurring before their eyes have produced waves of heated protests about callous refusal to follow Good Samaritan principles. But whether the law will actually protect from criminal or civil liability those who go to the aid of others in danger is still doubtful in many cases.

Attempts to deal with the many problems involved in the matter by legislation generally take the form of granting protection from civil liability to certain persons who go to the aid of others. California was the first state to enact such a protective law—in 1959—which protects physicians licensed in our state from malpractice suits when they render assistance to persons involved in accidents. Thirty-three other states have since enacted similar laws.

SO FAR AS licensed practitioners of healing arts are concerned, the matter, though complicated, is not too difficult. However, when it comes to extending similar protection to other citizens, there are many ramifications which need to be considered. Ten

other states have so far extended protection to "any person" who renders assistance in time of need. A bill to enact a California law for this purpose was defeated in the 1965 session, but the subject was referred to the Assembly Judiciary Committee for interim study. Recently, the committee held a short hearing to lay the foundation for its study. The committee was told that generally American courts, while sympathetic to the moral issue involved, have refused to recognize a legal duty on the part of any citizen to assist a stranger in time

of distress. Legal exceptions to this general principle have been enacted in some states, primarily relating to the duty of a driver to give assistance to any person involved in an accident in which he was a party. ALTHOUGH THERE is no legal obligation to aid a complete stranger, a person who volunteers help to another need thereby assumes a legal responsibility to exercise reasonable care for the other party's safety. The fact that the Good Samaritan has acted purely on a voluntary basis is no defense against liability.

This doctrine does, however, require that the negligence of the volunteer must "worsen the position" of the distressed person before liability can be assessed. How far to go in relieving this liability will be a hard question for the committee and the Legislature to decide. A closely related problem which has also been the subject of considerable newspaper publicity is the responsibility of a citizen to aid a peace officer in making an arrest, and the consequent freedom of liability for his actions in doing so. Most of the states have laws authorizing such officers to call for help, but only one provides any immunity in such cases. While most courts have held that no liability exists in such circumstances, the question of whether the officer has exceeded his jurisdiction is still subject to court decision.

Governor to Speak On Oct. 15

Governor Edmund G. (Pat) Brown will be guest of honor at a dinner to be held Saturday, Oct. 15, at the Yugoslav-American Club in San Pedro, according to George Perkovich.

Perkovich, who is chairman of the Harbor Area Committee to Re-Elect Governor Brown, said Congressman Cecil R. King (D-17th District) will introduce Brown. Other ranking Democrats expected to attend the dinner include Lt. Glenn Anderson and Assemblyman Vincent Thomas. Norbert Schlei, candidate for Secretary of State; Judge Ralph Dills, candidate for State Senator in the 32nd District, and Larry Townsend, candidate for the Assembly in the 67th District also will attend, Perkovich said.

Co-chairmen of the event are Victor Di Biasi, Chick Lovridge, Joe Zaninovich, Steve Elney, Mrs. Frances Grassie, Mrs. Rose Eakin, and Mrs. Barbara Gorich. Mrs. Melvin E. Donnelly is treasurer for the dinner. Tickets, now on sale, are priced at \$5 per person and may be reserved by visiting the Brown for Governor Headquarters in San Pedro.

Edison Co Will Seek New Stock

Southern California Edison directors have approved plans to issue up to 2.8 million shares of a new series of the firm's cumulative preferred stock.

Jack K. Horton, president of the firm, said the utility filed an application for the new issue with the California Public Utilities Commission last Friday asking that the offer be exempted from the commission's competitive bidding requirement.

Horton said Edison plans to file a registration statement with the Securities and Exchange Commission in early November.

Proceeds from the sale, which may total \$70 million aggregate in value, will be used in part to retire short-term loans and to finance a construction program which will require expenditures of \$577 million in 1966-67. Edison last offered preferred stock in 1958, Horton said.

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