



FACT SHEET

Delaware County Community Emergency Response Team Supplemental Training Series

INTRODUCTION TO WILDERNESS SEARCH & RESCUE

Section III - Legal and Ethical Aspects of SAR

- Familiarize yourself with all relevant and applicable local and state laws and regulations.
- Seek competent legal council before developing a response capability.

“Do No More Harm” Philosophy

- Fundamental tenet of emergency care: Do no more harm.
- Acting in good faith to a set standard of care can help SAR personnel avoid legal problems.

Legal Fundamentals

- Abandonment: 1) To leave somebody or something behind for others to look after, especially somebody or something meant to be a personal responsibility. 2) To stop doing something before it is completed, usually because of difficulty or danger.
- Negligence: a civil wrong tort causing injury or harm to another person or to property as the result of doing something or failing to provide a proper or reasonable level of care.
- Consent: 1) To give permission: to give formal permission for something to happen. 2) To agree: to agree to do something.

Documentation

- Thorough documentation is important!!!
- Courts consider an action or procedure not recorded as not being performed.
- Use the correct form and write in pen.
- Include the incident number, date, and time on every entry.
- Be specific and use standard abbreviations.
- Document all actions, observations, changes, and preventive measures.

Laws that Affect You

- Good Samaritan Laws
- Volunteer Protection Act of 1997
- Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Trespassing

The act of passing beyond a boundary onto one’s property (land) without the owner’s permission.

- Criminal Trespass – Willfully entering property that is posted
- Innocent Trespass – When you are unaware that the land is posted
- Trespass to save a life (Exception to the rule) – You can see a person in distress on posted property.

Incident Site Procedures

- Consider all clues to be crime scene evidence.
- Maintain “chain of custody” of scene and all clues.
- SAR personnel have a responsibility to secure the area.
- Document, Document, Document.

General Considerations

- Don’t work in constant fear of being sued.
- Know and perform your job to the best of your abilities.
- Always act in good faith to an appropriate standard of care.
- Seek professional advice when questions arise.
- Keep training and certifications current.
- Never exceed level of training received.
- Document training, searches, and actions.