

LEGISLATIVE COMMITTEE MINUTES

SB227

Bill as Introduced

SB 227-FN - AS INTRODUCED

2022 SESSION

22-2946

05/04

SENATE BILL **227-FN**

AN ACT relative to death benefits for first responders who die from suicide.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Prentiss, Dist 5; Sen. Carson, Dist 14; Sen. Cavanaugh, Dist 16; Rep. S. Pearson, Rock. 6

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill includes suicide under the definition of "killed in the line of duty" when considering eligibility for death benefits of first responders.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to death benefits for first responders who die from suicide.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 Killed in the Line of Duty; Suicide Included. Amend RSA 21-I:29-a, I(f) to read as follows:
2 (f) "Killed in the line of duty" means a death, ***including suicide***, of a police officer,
3 firefighter, emergency medical technician, or rescue squad member while in the performance of his
4 or her duties as a result of incident, accident, or violence causing death or injuries which are the
5 direct or proximate cause of death. ***Death by suicide shall be considered a work-related cause***
6 ***of death.*** "Incident" shall include any death that is determined to be occupationally related by the
7 worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor
8 commissioner for workers' compensation purposes pursuant to RSA 281-A.
9 2 Effective Date. This act shall take effect 60 days after its passage.

**SB 227-FN- FISCAL NOTE
 AS INTRODUCED**

AN ACT relative to death benefits for first responders who die from suicide.

FISCAL IMPACT: State County Local None

| STATE: | Estimated Increase / (Decrease) | | | |
|------------------------|---|------------------------------------|----------------------------------|--------------------------------|
| | FY 2022 | FY 2023 | FY 2024 | FY 2025 |
| Appropriation | Indeterminable | Indeterminable | Indeterminable | Indeterminable |
| Revenue | \$0 | \$0 | \$0 | \$0 |
| Expenditures | Indeterminable | Indeterminable | Indeterminable | Indeterminable |
| Funding Source: | <input checked="" type="checkbox"/> General | <input type="checkbox"/> Education | <input type="checkbox"/> Highway | <input type="checkbox"/> Other |

METHODOLOGY:

This bill expands the eligibility of a \$100,000 line-of-duty death benefit for first responders who die from suicide. To the extent an eligible individual is determined to have been killed in the line of duty, general fund appropriations and expenditures would increase.

AGENCIES CONTACTED:

None

LBA
22-2946
Amended 2/7/22

**SB 227-FN FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2022-0454s)**

AN ACT relative to death benefits for first responders who die from suicide.

FISCAL IMPACT: State County Local None

| STATE: | Estimated Increase / (Decrease) | | | |
|-----------------|---|------------------------------------|----------------------------------|--------------------------------|
| | FY 2022 | FY 2023 | FY 2024 | FY 2025 |
| Appropriation | \$0 | Indeterminable | Indeterminable | Indeterminable |
| Revenue | \$0 | \$0 | \$0 | \$0 |
| Expenditures | \$0 | Indeterminable | Indeterminable | Indeterminable |
| Funding Source: | <input checked="" type="checkbox"/> General | <input type="checkbox"/> Education | <input type="checkbox"/> Highway | <input type="checkbox"/> Other |

METHODOLOGY:

This bill expands the eligibility of a \$100,000 line-of-duty death benefit for first responders and correction officers who die from suicide. To the extent an eligible individual is determined to have been killed in the line of duty, general fund appropriations and expenditures would increase.

It is assumed the fiscal impact would not occur until FY 2023.

AGENCIES CONTACTED:

None

LBA
22-2946
Amended 2/7/22

**SB 227-FN FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2022-0454s)**

AN ACT relative to death benefits for first responders who die from suicide.

FISCAL IMPACT: State County Local None

| STATE: | Estimated Increase / (Decrease) | | | |
|-----------------|---|------------------------------------|----------------------------------|--------------------------------|
| | FY 2022 | FY 2023 | FY 2024 | FY 2025 |
| Appropriation | \$0 | Indeterminable | Indeterminable | Indeterminable |
| Revenue | \$0 | \$0 | \$0 | \$0 |
| Expenditures | \$0 | Indeterminable | Indeterminable | Indeterminable |
| Funding Source: | <input checked="" type="checkbox"/> General | <input type="checkbox"/> Education | <input type="checkbox"/> Highway | <input type="checkbox"/> Other |

METHODOLOGY:

This bill expands the eligibility of a \$100,000 line-of-duty death benefit for first responders and correction officers who die from suicide. To the extent an eligible individual is determined to have been killed in the line of duty, general fund appropriations and expenditures would increase.

It is assumed the fiscal impact would not occur until FY 2023.

AGENCIES CONTACTED:

None

SB 227-FN - AS AMENDED BY THE SENATE

02/03/2022 0454s

2022 SESSION

22-2946

05/04

SENATE BILL **227-FN**

AN ACT relative to death benefits for first responders who die from suicide.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Prentiss, Dist 5; Sen. Carson, Dist 14; Sen. Cavanaugh, Dist 16; Rep. S. Pearson, Rock. 6

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill includes suicide under the definition of "killed in the line of duty" when considering eligibility for death benefits of first responders. The bill also includes corrections officers in the list of first responders.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to death benefits for first responders who die from suicide.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Killed in the Line of Duty; Suicide Included. Amend RSA 21-I:29-a, I(f) to read as follows:

2 (f) "Killed in the line of duty" means a death, ***including suicide***, of a police officer,
3 firefighter, emergency medical technician, [or] rescue squad member, ***or corrections officer*** while
4 in the performance of his or her duties as a result of incident, accident, or violence causing death or
5 injuries which are the direct or proximate cause of death. ***Death by suicide shall be considered a***
6 ***work-related cause of death***. "Incident" shall include any death that is determined to be
7 occupationally related by the worker's compensation insurance carrier, a self-insured worker's
8 compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to
9 RSA 281-A.

10 2 Effective Date. This act shall take effect 60 days after its passage.

SB 227-FN- FISCAL NOTE
 AS AMENDED BY THE SENATE (AMENDMENT #2022-0454s)

AN ACT relative to death benefits for first responders who die from suicide.

FISCAL IMPACT: State County Local None

| STATE: | Estimated Increase / (Decrease) | | | |
|------------------------|---|------------------------------------|----------------------------------|--------------------------------|
| | FY 2022 | FY 2023 | FY 2024 | FY 2025 |
| Appropriation | \$0 | Indeterminable | Indeterminable | Indeterminable |
| Revenue | \$0 | \$0 | \$0 | \$0 |
| Expenditures | \$0 | Indeterminable | Indeterminable | Indeterminable |
| Funding Source: | <input checked="" type="checkbox"/> General | <input type="checkbox"/> Education | <input type="checkbox"/> Highway | <input type="checkbox"/> Other |

METHODOLOGY:

This bill expands the eligibility of a \$100,000 line-of-duty death benefit for first responders and correction officers who die from suicide. To the extent an eligible individual is determined to have been killed in the line of duty, general fund appropriations and expenditures would increase.

It is assumed the fiscal impact would not occur until FY 2023.

AGENCIES CONTACTED:

None

SB 227-FN - AS AMENDED BY THE HOUSE

02/03/2022 0454s
4May2022... 1330h
4May2022... 1915h

2022 SESSION

22-2946
05/04

SENATE BILL **227-FN**

AN ACT relative to death benefits of police officers to include corrections officers, probation-parole officers, and correctional line personnel, and including death from suicide, and relative to forfeiture of personal property.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Prentiss, Dist 5; Sen. Carson, Dist 14; Sen. Cavanaugh, Dist 16; Rep. S. Pearson, Rock. 6

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill adds death by suicide under the definition of "killed in the line of duty" when considering eligibility for death benefits of police officers, and includes corrections officers, probation-parole officers, and correctional line personnel to persons eligible for the death benefits. The bill also limits the conditions under which seized property may be transferred to a federal agency.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 227-FN - AS AMENDED BY THE HOUSE

02/03/2022 0454s
4May2022... 1330h
4May2022... 1915h

22-2946
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to death benefits of police officers to include corrections officers, probation-parole officers, and correctional line personnel, and including death from suicide, and relative to forfeiture of personal property.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Death Benefit for Police Officer or Firefighter Killed in Line of Duty; Corrections Personnel.

2 Amend RSA 21-I:29-a, I(g) to read as follows:

3 (g) "Police officer" means:

4 (1) Any law enforcement officer with the power of arrest, including auxiliary,
5 intermittent, special, part-time, or reserve police officers, or sheriffs and their deputies who are
6 employed by a city, town, village district, county, or precinct within the state of New Hampshire[.].

7 (2) Police officers employed by the university system of New Hampshire[.].

8 (3) Court security officers and bailiffs[~~and~~].

9 (4) *Corrections officers, probation-parole officers, and correctional line*
10 *personnel meeting the definition of permanent policemen under RSA 100-A:1, VII.*

11 (5) Any state law enforcement officer employed by the state of New Hampshire who
12 has power of arrest as determined by state law.

13 2 Killed in the Line of Duty; Suicide Included. Amend RSA 21-I:29-a, I(f) to read as follows:

14 (f) "Killed in the line of duty" means a death, *including suicide*, of a police officer,
15 firefighter, emergency medical technician, or rescue squad member while in the performance of his
16 or her duties as a result of incident, accident, or violence causing death or injuries which are the
17 direct or proximate cause of death. *Death by suicide shall be considered a work related cause*
18 *of death.* "Incident" shall include any death that is determined to be occupationally related by the
19 worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor
20 commissioner for workers' compensation purposes pursuant to RSA 281-A.

21 3 New Section; Forfeiture of Personal Property. Amend RSA 617 by inserting after section 12
22 the following new section:

23 617:13 Limiting Adoptions by the Federal Government of Property Seized Under State Law.

24 I. A state or local law enforcement agency shall not offer for transfer or adoption property,
25 seized under state law, to a federal agency for the purpose of forfeiture under the federal Controlled
26 Substances Act, Public Law 91-513.

27 II. Paragraph I shall only apply to a seizure by a state or local law enforcement agency
28 pursuant to its own authority under state law and without involvement of the federal government in

SB 227-FN - AS AMENDED BY THE HOUSE

- Page 2 -

1 the seizure. Nothing in paragraph I shall be construed to limit state and local law enforcement
2 agencies from participating in a joint task force with the federal government.

3 III. The state or local law enforcement agency shall not accept payment of any kind or
4 distribution of forfeiture proceeds from the federal government if the state or local law enforcement
5 agency violates paragraph I. All proceeds received shall be transferred and deposited to the state's
6 general fund.

7 4 Effective Date.

8 I. Section 3 of this act shall take effect January 1, 2023.

9 II. The remainder of this act shall take effect 60 days after its passage.

SB 227-FN- FISCAL NOTE
 AS AMENDED BY THE SENATE (AMENDMENT #2022-0454s)

AN ACT relative to death benefits for first responders who die from suicide.

FISCAL IMPACT: State County Local None

| STATE: | Estimated Increase / (Decrease) | | | |
|------------------------|---|------------------------------------|----------------------------------|--------------------------------|
| | FY 2022 | FY 2023 | FY 2024 | FY 2025 |
| Appropriation | \$0 | Indeterminable | Indeterminable | Indeterminable |
| Revenue | \$0 | \$0 | \$0 | \$0 |
| Expenditures | \$0 | Indeterminable | Indeterminable | Indeterminable |
| Funding Source: | <input checked="" type="checkbox"/> General | <input type="checkbox"/> Education | <input type="checkbox"/> Highway | <input type="checkbox"/> Other |

METHODOLOGY:

This bill expands the eligibility of a \$100,000 line-of-duty death benefit for first responders and correction officers who die from suicide. To the extent an eligible individual is determined to have been killed in the line of duty, general fund appropriations and expenditures would increase.

It is assumed the fiscal impact would not occur until FY 2023.

AGENCIES CONTACTED:

None

Amendments

Sen. Carson, Dist 14
Sen. Prentiss, Dist 5
February 2, 2022
2022-0454s
05/04

Floor Amendment to SB 227-FN

1 Amend the bill by replacing section 1 with the following:

2

3 1 Killed in the Line of Duty; Suicide Included. Amend RSA 21-I:29-a, I(f) to read as follows:

4 (f) "Killed in the line of duty" means a death, *including suicide*, of a police officer,
5 firefighter, emergency medical technician, [or] rescue squad member, *or corrections officer* while
6 in the performance of his or her duties as a result of incident, accident, or violence causing death or
7 injuries which are the direct or proximate cause of death. *Death by suicide shall be considered a*
8 *work-related cause of death.* "Incident" shall include any death that is determined to be
9 occupationally related by the worker's compensation insurance carrier, a self-insured worker's
10 compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to
11 RSA 281-A.

Floor Amendment to SB 227-FN

- Page 2 -

2022-0454s

AMENDED ANALYSIS

This bill includes suicide under the definition of "killed in the line of duty" when considering eligibility for death benefits of first responders. The bill also includes corrections officers in the list of first responders.

Committee Minutes

SENATE CALENDAR NOTICE
Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

Date: December 21, 2021

HEARINGS

| Wednesday | 01/19/2022 | |
|--|------------------|--|
| (Day) | (Date) | |
| Executive Departments and Administration | State House 103 | 9:00 a.m. |
| (Name of Committee) | (Place) | (Time) |
| 9:00 a.m. | SB 362 | relative to training as a certified service plumber. |
| 9:15 a.m. | SB 227-FN | relative to death benefits for first responders who die from suicide. |
| 9:30 a.m. | SB 357-FN | relative to mental health training for first responders. |
| 10:00 a.m. | SB 330-FN | relative to reciprocal licensing requirements for boards, commissions, and councils administered by the office of professional licensure and certification and establishing registration of paid feeding assistant programs. |
| 10:20 a.m. | SB 230-FN | relative to the practice of body art. |
| 10:40 a.m. | SB 361-FN | requiring that bail commissioners be reimbursed for mileage traveled in the performance of their duties. |

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 362

Sen. Birdsell

Sen. Avard

Rep. Milz

Rep. Potucek

SB 227-FN

Sen. Birdsell

Sen. Prentiss

Sen. Carson

Sen. Cavanaugh

Rep. S. Pearson

SB 357-FN

Sen. Birdsell

Sen. Carson

Sen. Watters

Sen. Cavanaugh

Rep. Soucy

Sen. Prentiss

Rep. S. Pearson

SB 330-FN

Sen. Giuda

Sen. Hennessey

Sen. Watters

Sen. Birdsell

Sen. Avard

Sen. Rosenwald

Sen. Carson

Rep. Lang

Rep. P. Schmidt

Rep. McGuire

SB 230-FN

Sen. Cavanaugh

SB 361-FN

Sen. Gannon

Sen. Hennessey

Sen. D'Allesandro

Sen. Watters

Sen. Bradley

Sen. French

Sen. Reagan

Sen. Avard

Sen. Carson

Sen. Prentiss

Sen. Cavanaugh

Rep. Piemonte

Rep. Edwards

Rep. Welch

Chantell Wheeler 271-1403

Sharon M Carson
Chairman

**Senate Executive Departments and Administration
Committee**

Chantell Wheeler 271-1403

SB 227-FN, relative to death benefits for first responders who die from suicide.

Hearing Date: January 19, 2022

Time Opened: 9:40 a.m.

Time Closed: 9:50 a.m.

Members of the Committee Present: Senators Carson, Reagan, Ricciardi and Cavanaugh

Members of the Committee Absent : Senator Prentiss

Bill Analysis: This bill includes suicide under the definition of "killed in the line of duty" when considering eligibility for death benefits of first responders.

Sponsors:

Sen. Birdsell

Sen. Prentiss

Sen. Carson

Sen. Cavanaugh

Rep. S. Pearson

Who supports the bill: Senators Birdsell, Cavanaugh and Carson, Russell Conte (Department of Safety), Shaun Thomas (NH Police Association), David Goldstein (NH Police Chiefs), Lyn Cusak (NH DOC), Marc Beaudoin (NH Troopers Association), John McAllister (Professional Fire Figthers of NH), Marissa Chase (NH Association of Justice), Brian Ryll (Professional Fire Fighters of NH), Elizabeth Lewis, Claudia Istel, Amy Erickson, Linda Burnap, Margaret Keeler, Gregory Davis, Wiltrud Mott-Smith, Matthew Tarleton, Brian Levesque, Brian Lord, Eric Marquis

Who opposes the bill: None

Who is neutral on the bill: None

Summary of testimony presented in support:

Senator Birdsell:

- This bill includes suicide under the definition of "killed in the line of duty" when considering eligibility for death benefits of first responders.
- In the past few years there have been numerous first responder deaths by suicide.
- There is a similar House Bill coming as well.

Lynmarie Cusak, Professional Standards Division, NH Department of Corrections (DOC)

- Studies show that 54% of corrections officers and 35% of police officers have signs of PTSD. The rate for the general population is 6%.
- Corrections officers face significant traumatic events.
- HB 91 is carried over from last year and has identical language to this bill.
- HB 1319 ensures that corrections officers are included in the definition of "police officers".
- Prisons are violent and there are assaults and gang related incidents in addition to drug trafficking.
- In 2019 Bureau of Prisons reported that 13 corrections officers died by suicide.

Summary of testimony presented in opposition: None

Neutral Information Presented: None

cbw
Date Hearing Report completed: January 19, 2022

Speakers

Senate Remote Testify

Executive Departments and Administration Committee Testify List for Bill SB227 on 2022-01-19

Support: 16 Oppose: 0

| <u>Name</u> | <u>Title</u> | <u>Representing</u> | <u>Position</u> |
|--------------------------|------------------------|--|------------------------|
| Cavanaugh, Senator Kevin | An Elected Official | Myself | Support |
| Carson, Senator Sharon | An Elected Official | Myself | Support |
| Chase, Marissa | A Lobbyist | NH Association for Justice | Support |
| Lewis, Elizabeth | A Member of the Public | Myself | Support |
| Istel, Claudia | A Member of the Public | Myself | Support |
| Erickson, Amy | A Member of the Public | Myself | Support |
| Burnap, Linda | A Member of the Public | Myself | Support |
| Keeler, Margaret | A Member of the Public | Myself | Support |
| Ryll, Brian | A Lobbyist | Professional Fire Fighters of New Hampshire | Support |
| Davis, Gregory | A Member of the Public | Myself | Support |
| Mott-Smith, Wiltrud | A Member of the Public | Myself | Support |
| Tarleton, Matthew | A Member of the Public | Myself | Support |
| Levesque, Brian | A Member of the Public | Myself | Support |
| Lord, Brian | A Member of the Public | Myself | Support |
| Marquis, Eric | A Member of the Public | Myself | Support |
| Laurent, Tara | A Member of the Public | NH Assoc of Chiefs of Police & Greenland Police Dept | Support |

Testimony



STATE OF NEW HAMPSHIRE
DEPARTMENT OF CORRECTIONS
DIVISION OF PROFESSIONAL STANDARDS

Helen Hanks, MM
Commissioner

Lynmarie C. Cusack, Esq.
Director

PO Box 1806, Rm. 328A
Concord, NH 03302-1806
603-271-3707 FAX: 603-223-2333
TDD Access: 1-800-735-2964

To: The Honorable Members of the Senate Executive Departments and Administration
Committee

From: Lynmarie Cusack, Esq., Director, Professional Standards Division
New Hampshire Department of Corrections

Date: January 19, 2022

Re: **SB 227** *relative to death benefits for first responders who die from suicide*

The New Hampshire Department of Corrections (NHDOC) supports **SB 227** *relative to death benefits for first responders who die from suicide*. The NHDOC also supports incorporating its law enforcement personnel, *i.e.*, corrections officers and probation/parole officers (PPOs), as well as corrections line personnel who are employed inside the prisons (*i.e.* nurses, social workers, educators, counselors, etc.) in those eligible to receive such benefits.

During the 2021 legislative session, NHDOC initiated dialogue during the hearings on HB 91 *relative to benefits for first responders who die from suicide*, which is identical to SB 227, to amend HB 91 to add "corrections officers, PPOs, and correctional line personnel" to the proposed bill language, in order to explicitly include those NHDOC workers to be eligible for the extended death benefits. The discussions revealed that corrections officers, those working behind the walls as corrections line personnel, and PPOs who encounter clients in their homes or on the streets suffer from mental health issues such as depression and post-traumatic stress disorder at rates similar to other "first responders" included in HB 91.

In fact, recent studies demonstrate that the levels of high stress situations, critical incidents, and life-threatening situations routinely occur in prison facilities for our corrections officers and corrections line personnel and on the streets for PPOs. *See e.g.* https://desertwaters.com/wp-content/uploads/2021/03/Comorbidity_Study_09-03-131.pdf; *see also* <https://www.corrections1.com/mental-health-1/articles/new-study-ptsd-symptoms-at-war-zone-level-among-correctional-staff-fXv6ZUwDRq5dAzrh/>. New Hampshire's law enforcement and correctional line personnel are placed in danger given the population they interact with daily. Prison employees and PPOs face a constant threat and are exposed to those with criminogenic behaviors, mental illness, gang membership, and those abusing illegal substances, which make the risk of violence a daily threat to personal safety.

Rather than pursuing the amendment to HB 91 from last session, this year Commissioner Hanks worked with Representative Emerick to put forward HB 1319 *relative to granting certain corrections personnel death benefits if killed in the line of duty*. That bill supports expanding the definition of “police officer” found in RSA 21-I:29-a, I(g) to fully embody all law enforcement in New Hampshire, including corrections officers, PPOs, as well as correctional line personnel for the purposes of the benefits. Last week, the NHDOC testified on HB 1319 in front of the House Executive Departments and Administration Committee, encouraging the adoption of that pending bill.

For too long, the well-being of corrections officers has been excluded from academic research and absent from policy-making discussions, despite their being exposed to violence, potential death, and work stress that leads to depression and anxiety at rates higher than other law enforcement. See <https://www.slu.edu/news/2019/june/slu-study-finds-jail-corrections-officers-suffer-from-ptsd.php> (study found that 53.4% of correctional officers suffered from PTSD symptoms as compared to 35.3% of police officers, where the general rate of PTSD in the US population is 6.8%); see also, <https://news.berkeley.edu/2018/08/23/california-correctional-officers-at-high-risk-for-depression-ptsd-and-suicide-new-survey-finds/>. This effort highlights the concerns from a policy perspective and asks that the general court recognize the ever-present challenge for law enforcement, including corrections personnel.

Again, the NHDOC believes that the language of proposed HB 1319 will adequately capture NHDOC law enforcement personnel in the definition of “police officer” so as to incorporate the suicide death benefit being put forth in SB 227 (and HB 91, which passed the House earlier this month). If, however, HB 1319 fails to pass it is imperative that the general court work to ensure corrections officers, PPOs and correction line personnel are eligible for the expanded benefits granted by SB 227. This is an important step forward, not just for our current personnel, but to assist in the recruitment and retention of future officers.

Thank you for considering this testimony. Thank you, as well, for your commitment to the citizens of New Hampshire.

If you have questions, please feel free to call me at 603-271-5603 or to e-mail me at Lynmarie.C.Cusack@doc.nh.gov.



NATIONAL CORRECTIONAL EMPLOYEES UNION

20 Maple Street, Springfield, MA 01103

January 19, 2022

Senate Committee on Executive Departments and Administration
State House, Room 103
Concord, NH 03301

Dear Chairwoman Carson and Members of the Committee:

On behalf of the National Correctional Employees Union (NCEU), I write to ask the committee to consider an amendment to SB227 *An Act Relative to Death Benefits of First Responders Who Die From Suicide* which would further extend these critical benefits to correctional officers.

As you are aware, correctional employees in New Hampshire routinely face stressful work environments which evidence has shown have a negative impact on mental health. According to a 2012 national study of nearly 3,000 correctional officers conducted by Desert Waters Outreach, the rate of PTSD among all correctional staff was 27%, with the highest rate of 35.8% found among male security personnel. This compares with a PTSD rate of 3.5% found among the general public according to the Centers for Disease Control and Prevention, representing a more than ten-fold higher rate for CO's. Further, the same study also found that correctional staff as a whole suffer from depression at a rate 3X greater than the general public.

The study showed a link between experiencing Violence, Injury, or Death (VID) in the workplace and the prevalence of PTSD and depression in correctional staff. When PTSD and depression occur in tandem and are left untreated, the chances of suicide greatly increase. These mental health disorders, which stem directly from performing a critical public safety function in a stressful and often dangerous environment, lead all too often to officer suicide.

We are experiencing a mental health crisis among New Hampshire correctional employees. These men and women are the first responders who keep our communities safe and our jails secure. Their important work and the risks to their mental health they experience as a result make it appropriate and necessary to include correctional officers as eligible for the benefits of this bill.

On behalf of correctional employees who perform a vital public safety function every day across the state, I ask that you please amend this bill to include correctional officers and give this bill a favorable report.

Thank you for your attention.

Best regards,

Christopher Murphy, President

Office: 413-788-6238 Fax: 413-273-1023

www.nceu.org



Officer Justin Breton
Mental Health & Wellness Coordinator
Manchester Police Department
405 Valley Street
Manchester, NH 03103

January 19, 2022

Senate Executive Department
& Administration Committee
107 North Main Street
State House Room 302
Concord, NH 03301

Sir/madam chair, members of the Senate Executive Department and Administration Committee,

I am Officer Justin Breton, the Mental Health & Wellness Coordinator of the Manchester Police Department (MPD). I am the Coordinator of MPD's Critical Incident Stress Management (CISM) Team, Co-Coordinator of the Southern New Hampshire Regional CISM Team, and a member of the New Hampshire Police Association's (NHPA) Legislative Committee.

I am composing this statement today to voice the New Hampshire Law Enforcement Peer Support Network's, and the NHPA's support for Senate Bill 227-FN.

As outlined in the Ruderman White Paper on Mental Health and Suicide of First Responders (2018), the ongoing daily exposure of Law Enforcement personnel to an array of critical incidents—including officer involved shootings, homicides, fatalities, overdoses, child abuse and sexual exploitation, assaults, thefts and the degradation of society—has a direct correlation to the deterioration and ultimately destructions of law enforcement personnel's resiliency, functionality, and mental health. When compared to other civilian professions, law enforcement personnel are at a heightened risk of experiencing depression, acute and/or post-traumatic stress disorder (ASD and/or PTSD), suicide and other mental health issues.

In 2019, the reported law enforcement suicide rate exceeded the rate of line-of-duty deaths nationally. According to Blue HELP, an organization working to reduce the stigma surrounding law enforcement's mental health issues, 239 officers completed the act of suicide in 2019. In comparison, the Officer Down Memorial Page, a non-profit organization dedicated to honoring America's fallen law enforcement personnel, noted that 155 officers were killed in the line of duty in 2019.

The devastating correlation that can be drawn from the aforementioned facts and circumstances is that the very job all New Hampshire's first responders proudly assume, as a matter of their profession, can be directly attributed to our death more often than any other cause of death within our occupations. With growing recognition of these circumstances, there is an obligation to assist New Hampshire's first responders and their families.

Including suicide, under the definition of "killed in the line of duty," when considering eligibility for death benefits of first responders, is a crucial first step in showing our first responders and their families that we value and are forever grateful for their unquestioned personal sacrifice.

As Senator Birdsell, Representative Pearson, my colleagues and I, of the State's Commission to Study the Incidence of Post-Traumatic Stress Disorder in First Responders Committee work together to create a legitimate prophylaxis, such as critical incident stress management, peer support teams and employee resiliency fostering and training initiatives for all first responders, we respectfully request your support of this important legislation.

In closing, we would like to thank Senator Birdsell, Senator Prentiss, Senator Cavanaugh & Representative Pearson, for sponsoring this bill and their never ending support of New Hampshire's first responders and our families. This important bill helps substantiate for first responders, and our county, that New Hampshire truly aims to take care of those who are taking care of others. In my humble opinion, there is not greater cause.

Very Respectfully Submitted,

Officer Justin Breton
Mental Health & Wellness Coordinator
Manchester Police Department
405 Valley Street
Manchester, NH

PROFESSIONAL FIRE FIGHTERS

O F N E W H A M P S H I R E

Senate Executive Departments and Administration
New Hampshire Senate
107 North Main Street
Concord, NH 03301

RE: Testimony in support of SB 227-FN relative to death benefits for first responders who die from suicide.

Dear Chairwoman Carson and Members of the Committee,

My name is Brian Ryll and I serve as the President of the Professional Fire Fighters of New Hampshire and am a Captain for the Portsmouth Fire Department. The Professional Fire Fighters of New Hampshire is a state association representing 42 local unions, and approximately 2,000 active and retired professional fire fighters and paramedics across the Granite State. As the preeminent fire fighter organization in New Hampshire, we advocate for the health and safety of the brave men and women that protect the citizens of this great state. In the fire service, we are routinely called to scenes of catastrophic incidents involving severe injuries, tragic loss of human life and property loss. It is well documented that the cumulative effects of these exposures may result in psychological injuries, or even suicide. It is because of this, that I testify before you today in support of SB 227-FN relative to death benefits for first responders who die from suicide.

In the fire service culture, we have long been expected to portray a tough guy image. The iconic scene of firefighters doing the hard physically demanding and dramatic work easily comes to mind. Often these images of strong, unbreakable fire fighters are contrary to what they are truly feeling inside. What is not seen is the human toll this job can take on us; the nightmares, post-traumatic stress, and depression leading to marital problems, substance abuse and changed behavior and personalities. However, these tough guy images have created some expectations within our ranks and created a stigma, that we can show no weakness and be unbreakable no matter how heavy the burdens we carry. Regardless of the most horrifying incidents that can be imagined that we have responded to, we must be ready for the next call.

According to the Journal of Occupational Health, approximately 20 percent of fire fighters and paramedics have PTSD.[1] Furthermore, according to a 2015 Florida State University study, nearly half of the fire fighters surveyed (46.8 percent) have thought about suicide, 19.2 percent had suicide plans and 15.5 percent had made suicide attempts.[2] In fact, those with PTSD are six times more likely to attempt suicide compared to demographically matched controls. Most fire fighters will recall with ease at least three horrific emergency calls or tragic events that replay over and over in their minds. Doctors at the Warriors Research Institute (WRI), a research arm of Baylor, Scott & White Health in Austin, Texas, have identified a clear link between traumatic situations experienced by fire fighters and paramedics and PTSD, similar to the chronic disorder experienced by veterans.[3]

Fire fighters and paramedics may believe that PTSD will go away on its own in time and, therefore, do not need treatment, or that seeking treatment will hurt their reputation or not remain confidential. PTSD can have devastating consequences if untreated or misdiagnosed and is often associated with other mental health disorders, such as depression, substance abuse, family dysfunction, violence and increased risk of suicide. [4] Because of this impact on fire fighters we have worked tremendously hard to provide more support.

PROFESSIONAL FIRE FIGHTERS

O F N E W H A M P S H I R E

In 2015, The International Association of Fire Fighters (IAFF) received funding from the Department of Homeland Security to begin developing a comprehensive, evidence-based peer support program for its members. The program is a two-day interactive course taught by fire service peers and behavioral health clinicians that focuses on active listening skills, suicide awareness and prevention, crisis intervention, referrals to local resources and relationships with local behavioral health providers. With this program delivery alone, the IAFF has trained thousands of its members in the peer support model, and I'm proud to say that many of these members are right here in New Hampshire. Utilizing the model of the IAFF, we have built a successful Peer Support Program that has provided invaluable support for our members battling a variety of behavioral health issues. In addition to the Peer Support Program, the IAFF has established the IAFF Center of Excellence for Behavioral Health Treatment and Recovery, a one-of-a-kind addiction treatment facility, specializing in PTSD for fire fighters. While history shows that we have come a long way in reducing the stigma and have made strides in improving our overall behavioral health and wellness, it is clear that there is far more work to be done.

Tragically, we continue to see too many of our brothers and sisters lose their battles with post-traumatic stress disorder, often times resulting in an increase in harmful behaviors including substance abuse, self-harm, or suicide. We face the harsh reality that despite our best efforts at awareness and prevention, and providing a listening ear, a helping hand, or a shoulder to cry on -- there are simply some instances where we are unable to make the save. And it's in these instances that our responsibility turns to the families of loved ones lost. Those left in the wake of a disaster so unimaginable that it turns their lives upside down. Trying to mourn the loss of their loved one, while also wondering how they will pay the mortgage, or put food on the table. The very same families who supported their loved one throughout the many nights, weekends and holidays away from home, many times 24 or 48 hours at a time. The very same families who laid awake at night, wondering if their loved one would make it home from shift. And the very same families who watched their loved one grow distant and detached as they silently fought their battle with depression or PTSD. We owe it to these families to provide some level of dignity and relief in their life. And while it won't bring those loved ones back, it will help to ensure those families can begin to heal.

The leaders of the Professional Fire Fighters of New Hampshire vow to continue its fight to educate our members, reduce the stigma surrounding behavioral health and prevent any further loss of life to this devastating illness. Until such time that we can win this fight, we ask this committee to move to support SB 227-FN relative to death benefits for first responders who die from suicide.

Respectfully Submitted,



Brian Ryll
President
Professional Fire Fighters of NH

PROFESSIONAL FIRE FIGHTERS

O F N E W H A M P S H I R E

[1] Cornell, W., Beaton, R., Murphy, S., (1999). *Journal of Occupational Health Psychology*, 4, 131-141

[2] *Career prevalence and correlates of suicidal thoughts and behaviors among firefighters Joiner TE2, Stanley IH1, Hom MA2, Hagan CR2, J Affect Disord. November 15, 2015*

[3] *Waco research facility takes aim at PTSD in first responders. September 11 Families Association (www.911families.org) July 29, 2015*

[4] *United States Department of Veterans Affairs, National Center for PTSD. Co-occurring conditions. (www.ptsd.va.gov/professional/co-occurring/index.asp) PTSD. Co-occurring conditions. (www.ptsd.va.gov/professional/co-occurring/index.asp)*

Voting Sheets

**Senate Executive Departments and
Administration Committee
EXECUTIVE SESSION RECORD
2022 Session**

Bill # SB 227

Hearing date: 1/19/2022

Executive Session date: 1/26/2022

Motion of: ITL Vote: _____

| Committee Member | Present | Made by | Second | Yes | No |
|-------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Sen. Carson, Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Reagan, Vice Chair | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Ricciardi | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Cavanaugh | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Prentiss | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Motion of: interim study Vote: 4-1

| Committee Member | Present | Made by | Second | Yes | No |
|-------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Sen. Carson, Chair | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Reagan, Vice Chair | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Sen. Ricciardi | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Cavanaugh | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Prentiss | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Motion of: _____ Vote: _____

| Committee Member | Present | Made by | Second | Yes | No |
|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Sen. Carson, Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Reagan, Vice Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Ricciardi | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Cavanaugh | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Prentiss | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Reported out by: Sen. Carson

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Thursday, January 27, 2022

THE COMMITTEE ON Executive Departments and Administration
to which was referred **SB 227-FN**

AN ACT relative to death benefits for first responders who
die from suicide.

Having considered the same, the committee recommends that the Bill
BE REFERRED TO INTERIM STUDY

BY A VOTE OF: 4-1

Senator Sharon Carson
For the Committee

Chantell Wheeler 271-1403

Docket of SB227

Docket Abbreviations

Bill Title: (New Title) relative to death benefits of police officers to include corrections officers, probation-parole officers, and correctional line personnel, and including death from suicide, and relative to forfeiture of personal property.

Official Docket of SB227.:

| Date | Body | Description |
|-------------|-------------|--|
| 12/14/2021 | S | To Be Introduced 01/05/2022 and Referred to Executive Departments and Administration; SJ 1 |
| 12/21/2021 | S | Hearing: 01/19/2022, Room 103, SH, 09:15 am; SC 50 |
| 1/27/2022 | S | Committee Report: Referred to Interim Study, 02/03/2022; SC 5 |
| 2/3/2022 | S | Refer to Interim Study, MF, VV; 02/03/2022; SJ 2 |
| 2/3/2022 | S | Sen. Carson Moved Ought to Pass; 02/03/2022; SJ 2 |
| 2/3/2022 | S | Sen. Carson Floor Amendment #2022-0454s , AA, VV; 02/03/2022; SJ 2 |
| 2/3/2022 | S | Sen. Bradley Moved Laid on Table, MA, VV; 02/03/2022; SJ 2 |
| 2/3/2022 | S | Pending Motion Ought to Pass with Amendment #2022-0454s ; 02/03/2022; SJ 2 |
| 3/24/2022 | S | Sen. Carson Moved to Remove From Table, MA, VV; 03/24/2022; SJ 6 |
| 3/24/2022 | S | Ought to Pass with Amendment 2022-0454s, MA, VV; OT3rdg; 03/24/2022; SJ 6 |
| 3/28/2022 | H | Introduced 03/28/2022 and referred to Finance |
| 3/30/2022 | H | Public Hearing: 04/05/2022 10:00 am LOB 210-211 |
| 3/30/2022 | H | Division Work Session: 04/05/2022 11:00 am LOB 212 |
| 4/19/2022 | H | Executive Session: 04/26/2022 09:00 am LOB 210-211 |
| 4/27/2022 | H | Committee Report: Ought to Pass with Amendment #2022-1330h (NT) (Vote 15-3; RC) |
| 5/4/2022 | H | Amendment # 1330h: AA VV 05/04/2022 HJ 11 |
| 5/4/2022 | H | FLAM # 1915h (Rep. Wuelper): AA VV 05/04/2022 HJ 11 |
| 5/4/2022 | H | Ought to Pass with Amendment 1915h: MA VV 05/04/2022 HJ 11 |
| 5/12/2022 | S | Sen. Carson Moved Nonconcur with the House Amendment, MA, VV; 05/12/2022; SJ 12 |

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 227fn

Senate Committee: ED 7A

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- ___ - amendment # _____
- ___ - amendment # _____
- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # 045H
- ___ - amendment # _____
- ___ - amendment # _____
- ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- ___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- ___ Enrolled Bill Amendment(s)
- ___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

- as amended by the senate
- as amended by the house
- ___ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

CBW
Committee Aide

2/10/22
Date

Senate Clerk's Office AK