



Kansas Sheriffs' Association

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Testimony to Committee on Commerce Support Testimony on SB 491

Chairwoman Erickson and Committee Members,

The Kansas Sheriff's Association is providing written testimony in support of SB 491. I have been asked to provide this testimony due to my own personal and professional experiences that lend to my passion on this subject.

While the bill clearly lays out what is and is not a "first responder", I only know life through the lens of a Law Enforcement Officer (LEO). I speak from that perspective only because it is all I know. But, please do not think I am discounting or prioritizing my experiences over that of fire and EMS personnel. I simply cannot competently speak to that, so I hope there will be those who can that will stand and be heard on their behalf.

It has never made sense that a Deputy or Officer can chase a suspect for a crime committed and during that chase, the Deputy injures himself or herself, they can seek treatment for that injury and potentially be given full retirement based on Work Comp rules as they stand now. I used a rock one time to break out a sunroof on a vehicle that was on its side in a creek where the water was up to my chest. I was trying to get inside the vehicle to make sure nobody else was trapped inside it. When I broke that window, it severed one tendon in my wrist and nearly severed the main one that moves your hand back and forth. I received treatment including surgery and while I have full function of my hand because of this, I'm still considered partially disabled because of it. I don't feel disabled, but my hand is not what it was before that day, nor will it ever be. But, in 2015, I was diagnosed with PTSI, also known as PTSD which is widely agreed to be an injury and not a disorder. However, I was diagnosed by a culturally competent Doctorate Level Psychologist who specialized in treating First Responders. And every ounce of trauma I had incurred was as a direct result of the work I had done over a 19 year career. My childhood and home life were in essence perfect. I was raised in a loving home with parents who only parted when my dad passed away. I married my high school sweetheart and we have two beautiful daughters. I have everything, yet the traumas I suffered on the job as a first responder nearly took all of this away from me.

It took over two years for me to get back to feeling like I was going to survive this and during that time, I continued to work. I was at work every day taking on new traumas while still trying to deal with the past traumas. And at one point, I decided while I still had the ability to continue in my career, I no longer had the capacity to handle it. I made the decision to leave Law Enforcement and find something else I could do until I could collect my EARNED retirement. I was vested in KPF at that point, but I was not at the minimum retirement age of 50 (I was 42-43). So I called and found out I could "retire" at any age, but I could not draw until I was 55 and even then, it would be at a substantially discounted rate. So, here I was, mentally exhausted and broken and faced with the decision to leave and find a new job for 12 or 13 years until I could draw my discounted retirement because my "injury" did not show up on an x-ray, therefore it did not qualify for Work Comp. My other option was to "stick it out" for another 7 or 8 years and get to 50 so I could get my full EARNED retirement. 7 or 8 more years in a job that requires the highest levels of clarity, decisiveness, health, and confidence.

I possessed very little of any of those that point, yet I was deciding if I could pretend for another 7 or 8 years just so I could get my EARNED retirement. Is that who you want on the streets and highways of this state? Me neither... Yet, this is the decision men and women who are sworn to protect us face each day. I was also very fortunate that an opportunity to remain in Law Enforcement presented itself to me in the form of a campaign to become Sheriff. This was the very best way I could stay and make the changes I believed to be needed while no longer doing the work that was poisoning my soul. I consider myself fortunate each and every day that I was able to stay where I could continue to do good work to help my community and my First Responder family who need a voice to make changes that are long overdue, such as this Work Comp bill.

A very fair question would be, 'well, what are you doing as a group to help with this in your agencies?'. Again, I speak only from the perspective of my agency, but I can tell you both nationally and locally, the topic of police suicide and mental health has been at the top of the list. I have not been to a conference or training in the last two years where first responder mental health was not at least part of the curriculum if not the entire training experience. And from an agency perspective, we are moving in bold new directions to work 'upstream' from this problem and try and make it easier for those who are coming up behind us to be better prepared for the traumas they absolutely will endure. We are doing things like Critical Incident Debriefings immediately following these traumatic incidents. This is where the responders all come together with peer support members, a culturally competent mental health clinician, clergy or chaplains, and it's a lead-discussion amongst this group about what they saw, what they thought, and how they felt or now feel. This one little thing has shown to be a huge factor in folks being able to better process their trauma and move past it in a healthy way. And if that is still not quite enough, I have identified a culturally competent clinician who has agreed to enter into a contract with me and my agency to see my folks at no cost to them. I pay for 3 hours per week out of her schedule and my employees can call and get on her schedule and go see her without cost. It made me sick to my stomach to think people weren't getting the help they needed and deserved because they couldn't afford it. And one other piece of this contract is that the clinician agrees to be available if I call her and have an employee "in crisis" and need them to be seen right away. We have had this happen in the past and we are told they can be seen the next week or in a month because the doctor's schedules are full. That leaves us with just one option and that is to take that employee to the local hospital and have them screened. And unfortunately, I have had to do this with an employee of mine and it was heart-breaking.

We are in agreement with the notion that an appropriate mental health clinician who is culturally competent in the First Responder world should make the determination for any clinical diagnoses. And if there is a peer review board, we would agree to that as long as that board is vetted and we would hope to be involved in the building of this board as well as having a seat at the table. We also agree there will be opportunities for some to utilize this bill in an unintended way, but we stand for any and all questions or discussions on how to best mitigate this.

One note I feel I should add is that I am considered "old" (I'm 46 now) in terms of First Responders. Obviously my mind goes more directly to retirement and those benefits. But, this applies to ALL first responders whether they have been on the job for a day or a century. PTSD can occur on day 1, day 1000, or your retirement day. No matter how long you have been on the job, you deserve the protections your agency and state can provide and if that means moving the Work Comp process in a new direction, we support that.

This is an extremely important topic for our organization and it's members and we thank you for beginning this process and allowing us to present our perspective. If given the opportunity to testify in person, I look forward to sharing my personal journey in more detail as well as fielding any and all questions you may have, but I also look forward to being a point of reference as you move deeper into this topic and eventually bring this bill to reality in the near future.

Thank you for your consideration.

Sheriff Jay Armbrister #S203
Douglas County Sheriff