

May 3, 2023

To the Senate Finance Committee,

My name is Timothy Fletcher and I am a duty disabled Detective from the Dakota County Sheriff's Office. I am writing today about HR 1234 which I oppose in its current wording.

I started as a Police Explorer with the Dakota County Sheriff's Office (DCSO) when I was 15 (2002). When I was 18 (2006), I was hired by DCSO as a Park Ranger. At 21 (2009) I was hired as a Correctional Deputy in the Dakota County Jail and at 24 (2011) I was hired as a Deputy Sheriff. During my time with DCSO I was exposed to many critical incidents which resulted in my duty related disability. I worked in the following areas: Court Security and Prisoner Transport, School Resource Officer, Water Patrol Deputy, Patrol, 4 year assignment to the US Drug Enforcement Administration Task Force (DEA), and as a General Detective investigating persons and property crimes. I am a highly decorated Deputy with two Commendations of Merit, an Award of Merit, a Letter of Recognition for contributions to the field of drug enforcement delivered by the Special Agent in Charge of the DEA Chicago Field Office, and many other letters of recognition for my work. At age 32 (2019) I was diagnosed with a duty related injury, however I continued to work while receiving medical treatment.

The pain from my duty related injury prevents me from being able to fall asleep at night, causes nightmares and waking up in panic, flashbacks of crime scenes, and seeing the images of dead bodies throughout the day. As a result I turned to alcohol to numb what I was feeling and experiencing on a daily basis. To this day I cannot drive at night without having flashbacks of fatal car accidents, and I suffer from severe and debilitating panic attacks as a result. I avoid crowds, cannot watch movies or TV shows that have any death scene in them as they also trigger flashbacks. To this day I cannot hold small children/infants or be around them without having instant flashbacks of an infant death prior to leaving the career I loved. As a result, I have been unable to hold or be around my nephews and my friend's babies. Seeing car accidents on the road or hearing anything in the news relating to crime scenes or fatalities additionally will trigger my symptoms caused by my duty related injury.

At my worst I contemplated suicide several times and almost acted on it twice. The second time I had to call a friend with a local police department to come collect my firearms.

In 2021 I could not do the job I loved anymore. I remember talking to my bosses when I went on FMLA. I was devastated by the loss of my career, the loss of my family of coworkers, and the inability to continue helping my community. I remember sobbing on the phone.

When I went on leave due to my duty related injury, I was denied workers compensation and short-term disability. I did hire another law firm to fight to get my short-term disability. I had to rely on my savings, family and a line of credit on my house to cover my cost-of-living expense for my family. I have not been able to recapture those losses

because of the lower income.

The PERA approval process was extremely difficult. I had to wait 9 months before I was approved. Two reports were submitted on my behalf from my PA and her supervising Doctor and a Psychologist. In addition, I had statements and reports submitted from other medical providers. Even with that overwhelming evidence, I was required to attend an independent medical evaluation by one of PERA's doctors. He agreed with the rest of my medical team that I was suffering and continue to suffer from a duty related disability.

My first area of concern is the new offset proposal and how it will dramatically impact my income and the ability for my family to live our current life. I decided to become a contributing member of the community and have obtained full time employment. However, in a high demand job market, having a bachelor's degree, and having a highly decorated 14+ years of work experience, it took me months to obtain a job. Many times, I would get no response when my resume showed duty related injury retirement or noted I suffered from a disability listed during the application process. My new employer has been very flexible with me when I have nightmares, which cause severe panic attacks. They allow me to start work late or take the day off. If I did not have an understanding, new employer, I would probably be without a job once again.

My new job pays \$41,000 per year before taxes. I have a bachelor's degree and years of experience but I was not able to match my past salary. When I add in my PERA payment, my annual income is \$96,500. This is still short of my income as a Deputy Sheriff where I was making \$98,000-\$100,000 annually. The duty disability benefit I continue to receive does not take into account any overtime I would have worked or any promotions I would have earned if I had been able to continue my career in law enforcement, which would have greatly increased my high 5 earnings. The new proposed offsets, based on documentation on the PERA website will reduce my yearly income by between \$12,000 and \$14,000. This will reduce my annual income to between \$82,500 and \$84,500.

Last year, Dakota County Deputies received a 5% increase in pay, and the currently employed deputies will continue to receive pay increases every several years based off of contract negotiations. The only cost of living increase I will receive with my PERA duty disability income will be 1% after 3 years of receiving my duty disability, and will continue to be 1% every year afterwards. This is stated in the statute. This does not take into consideration inflation or changes in the economy. My understanding is that based on internal documents from PERA that people receiving a standard PERA pension will be receiving an 8% increase in their PERA pension monthly payments. This increase was proposed by PERA.

Currently I am the sole income provider in my home. Even though I'm married, my spouse was affected mentally by what occurred and continues to occur related to my overall mental health. As a result, he is afraid of going back to work because he is worried about leaving me alone at home for more than 30 minutes to an hour for fear that I might commit suicide. As a result, he has to seek out his own mental health treatment. The members of the House and Senate need to know that duty related disabilities not only affect the disabled member but their family as a whole. The next area of concern I have is related to the re-application process. While PERA says nothing will change, the language of the re-application process can be

interpreted in many different ways by a new PERA administrator or by a court. I feel there needs to be a clear definition in any statute that might be passed defining what the re-application would entail and what my rights to appeal if denied after re-application would be. My concerns are, what will be my legal fees, will my health insurance be impacted, or will I lose my disability pension. I am concerned how I will support my family on a \$41,000 a year salary. If that is the case I will lose my house, cars, insurance and quite frankly the ability to survive. When I factor in my disability income with my current rate of pay, I am able to support my family, however even some months are difficult. My family has had to change our spending habits to include shopping at lower cost grocery stores and finding cheaper gas.

Currently, I am on six different psychiatric medications, see a therapist once a week, see a psychiatric nurse practitioner once a month, and an internal medicine doctor every 2-3 months. Even with health insurance, my out of pocket expenses through copayments average between \$500-\$1000 a month, which about equals one paycheck from my new job. These monthly medical expenses alone over the course of the year come close to the amount the offsets being proposed will reduce my annual income by.

My understanding from a conversation with a member of the PERA board is that there are only about 1200-1300 first responders that are receiving a duty disability pension. As for the loss of solvency the PERA administrator reported, it is primarily related to the recent decline in the stock market (a risk they took over less riskier investments) and is not associated with the amount being paid to those who are receiving a duty disability related retirement. I encourage all of you to review with the PERA administrator their financials.

Regarding Representative Her's statements during the pension committee hearing on this Bill, she indicated that the pension received by duty disabled first responders in MN is more generous than the benefits VA disabled Veterans receive. My Cousin served 22 years in the US Marine Corps before becoming disabled. During her time in the Marine Corps, she either lived on base or received a generous housing allowance. She now receives a VA monthly benefit of \$4500 in addition to her pension due to a duty related injury of major depressive disorder, anxiety and PTSD. Currently VA disability recipients only have to apply once, and once approved, there is never a reapplication process. There is also no cap on her re-employment income. She currently works in the private sector and makes \$180,000 annually, none of which is penalized. Individuals receiving federal social security disability benefits also only have to apply once in their lifetime. Once approved, they never have to reapply.

With the respect to all stakeholders being involved, it is my understanding that only the following organizations were involved; PERA, the Minnesota Chief of Police Association, the State Sheriff's Association, the St. Paul Firefighter Association, MMPOA, The League of Minnesota Cities, and LELS. To the best of my knowledge, no duty disabled first responder had a seat at the table. This proposed statute was only shared with us over the past several weeks even though this Bill has been ongoing for two years. Those same organizations supported me when I was an active peace officer, but as

soon as I was no longer a contributing member, they no longer cared about me.

I served my community for 14 years in many different roles and I feel it is wrong to penalize me and my family for the injury I sustained while working as a Deputy Sheriff.

Suicide is already an issue within the first responder community. My friend, and fellow first responder, Corey Slifko committed suicide a few years ago. As a result, US Representative Angie Craig created a Bill which passed in the US Congress that recognized suicide as a line of duty death. I believe that if this Bill passes, even more first responders will not seek help, and as a result, will commit suicide.

The current climate in the nation is a focus on diversity, equity and inclusion. I believe this Bill does not address any of those issues, and as a result, punishes those that are injured in the line of duty. There is a quote from Nkem Elvis that states, "Disability is not a choice, but discrimination is. Attacking such persons is the lowest display of Power." I respectfully ask that you make significant amendments to this proposed bill or vote NO.

Thank you for your time.

Respectfully,

Tim Fletcher, a duty disabled Detective formerly with the Dakota County Sheriff's Office