MEMORANDUM

TO: Board of Trustees

FROM: Klausner, Kaufman, Jensen & Levinson

RE: Public Safety Officer Support Act of 2022

DATE: November 2022

On August 16, 2022, the Omnibus Crime Control and Safe Streets Act of 1986 was amended by Congress to authorize public safety officer death benefits to officers suffering from post-traumatic stress disorder (PTSD) or acute stress disorder. The Act is entitled the "Public Safety Officer Support Act of 2022."

Summary of Congressional Findings:

- Public safety officers are routinely called to respond to stress, and potentially traumatic situations, often putting their own lives at risk.
- In addition to putting public safety officers at risk for harm, serious injury and cumulative and acute trauma, it places them at up to 25.6 times higher risk for developing PTSD when compared to those without such experiences.
- Psychological evidence indicates that law enforcement officers experience significant job-related stressors and exposures that may indicate increased risk for mental health morbidities, and accelerated mortality.
- Public safety officers often do not have the resources or support they need, leaving them at risk for long term health effects.
- While the Department of Defense already considers suicides to have occurred in the line-of-duty and offers support to eligible surviving families, the Federal Government does not recognize public safety officer suicides to have occurred in the line-of-duty.
- Public safety officers who have died or become disabled as a result of suicide or PTSD do not qualify for the Public Safety Officers' Benefits Program, despite the fact that they are more likely to die by suicide than any other line-of-duty cause of death.

Summary of the Act:

The Act directs the Public Safety Officers' Benefit Program to label disabilities from PTSD and acute stress disorders resulting from exposure to qualifying traumatic events as work-related injuries. This line-of-duty designation also extends to those public safety officers who become permanently disabled as a result of attempted suicide.

Additionally, the Act allows for surviving families of those public safety officers who die as a result of trauma induced suicide to apply for PSOB death benefits by designating suicides as line-of-duty deaths in qualifying circumstances where there is evidence that PTSD or acute stress disorder was the cause of bodily injury.

Criteria:

To qualify for **PSOB disability benefits** under this Act for PTSD, the officer must:

- Be diagnosed with PTSD, acute stress disorder, or a trauma and stress related disorder connected to on-the-job trauma *and* meet the stringent disability requirements of the PSOB Program; or
- Have reached out or attempted to reach out to get professional help (including to an employee assistance program or a peer counseling program) prior to attempting suicide and the attempt has left them catastrophically injured; or
- Has experienced one or more traumatic events while on duty and attempted to take their own life, leaving them catastrophically injured.

To qualify for **PSOB death benefits** under this Act for PTSD, the officer, who has committed suicide, must:

- Have been diagnosed with duty-related PTSD, acute stress disorder, or a trauma and stress related disorder prior to taking their own life; or
- Have reached out or attempted to reach out to get professional help (including to an employee assistance program a peer counseling program); or
- Have experienced one or more traumatic events while on duty.

PSOB claims can be submitted for PTSD and suicide-related deaths or injuries that occurred on or after January 1, 2019.