

EXHIBIT 5
DATE 2-16-05
HB 534

February 15, 2005

To: The Montana House Committee on Business and Labor
Re: HB-534

Del Crawford
4777 Hoover Lane
Stevensville, MT. 59870

Testimony:

I worked for Ravalli County for 16 1/2 years.
3.5 years as Patrol Deputy
4 years as night supervisor (Sgt).
4 Years as Detective
3.5 Years as Undersheriff
6 months as Detective

During that time I was affected by what was later diagnosed as Post Traumatic Stress Disorder.

During the course of this illness, and continuing today, what little treatment I can afford comes from my Wife's Insurance, and my own pocket.

My entire work and home life was affected by this condition to the point that I was not just ineffective, but was a grossly negative force on both.

Struggling to survive, I asked to be relieved as Undersheriff in spite of the 5% pay cut.

The Sheriff tried to help with a lower stress job, but it didn't help.

With no resource for treatment I was allowed by the Sheriff's Retirement system to retire with 50% pay in late 1999.

I feel that there are several points to be made from my experience that have a direct correlation with the bill you are considering today.

Emergency Service providers are affected by their jobs, sometimes to the point of destruction. This is a fact, not a dodge.

PTSD is more common than most people realize. Because of my experiences, I could see affects on many around me.

Some of them were able to hold on until they had enough years to retire; others could not, or retired earlier than they had planned.

PTSD if not treated early, this illness becomes extremely difficult to treat. Leaving the job does not cure, or even mitigate the illness. In my case leaving did almost nothing for my continuing symptoms.

The illness is actively ignored by all levels of State and Local Government because current law actively denies the illness.

What are the effects of the current treatment of this illness in state law? State and Local Governments have no sound means for dealing with the illness. If they try to help their employees, there are no guidelines for what is appropriate.

Most ignore the problem and simply hope it goes away. It does eventually, but at great cost.

Employees have no means for dealing with their illness except by quitting (ineffective), paying for treatment out of their own pocket (unaffordable), suing the employer (costing everyone), or finally, self destructing (the most common).

Self destruction includes: divorce, family abuse (physical/mental), self medication, abuse of co-workers, reduced job performance (to the point of total ineffectiveness), violation of rules, policy, moral standards, and even criminal activity.

I believe that many of the situations we see in the news where a cop has done something causing his agency and himself embarrassment, liability, criminal charges, are caused by the person having a problem of the sort we are talking about, and no means to deal with it other than by "self destructing" as I have described.

Local government ends up having to deal with:

Less/non effective employees.

Liability for the actions of self destructing employees.

Other employees being troubled by the actions of their formerly friendly co-worker.

Loosing employee's expensive training and experience.

Suit by these employees.

The employee ends up having to deal with:

Loss of confidence and self respect.

Loss of the job they loved.

Loss of their family.

Loss of hope for the future.

Being abandoned by the laws, people and government they put their lives on the line to serve.

Lengthy law suit trying to get enough money for treatment.

My conclusions:

I believe that most will focus on the most serious effect the law would address, total disability.

It is true that there are quite a few responders out there now who would qualify, but the cost of leaving them in their positions, in their conditions, I believe has a higher cost not only in money, but in human lives.

The focus of the deliberations on this bill should be on the people who have not yet been affected, but will be.

This bill would give both the employer, and the employee a means to deal with a known problem, when it happens.

The end result would more usually be that an employee is given treatment early enough that the problem does not grow into the monster I have described. This would result in employee retention, reduced liability, and would solve a host of other problems I have only touched on here.

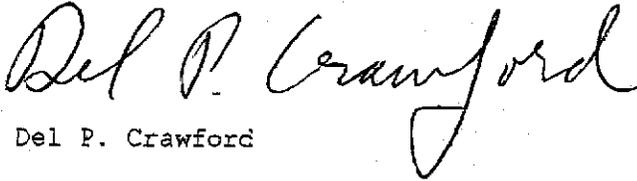
Abuse of the new law, sure, bound to happen to a limited extent, which can be handled by proper administration.

But when I think of the word abuse, the first thing that comes to mind is the way that the most dedicated and giving segment of our work force is treated by current state law.

Although current Workman's compensation law is blatantly set up for the employer's protection and not the workers, I see no other vehicle for handling the serious problem we are addressing.

I would urge you to pass this bill into law and join the majority of other states who have chosen to address this known killer of our very best.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Del P. Crawford". The signature is written in dark ink and is positioned above the typed name.

Del P. Crawford

House Committee on Business and Labor

Dear Honorable Legislators;

On May 19, 1990 my family changed forever. My husband, Gary Stratemeyer, was working as a Deputy Sheriff for the Lincoln County Sheriff's Department in Libby. Shortly after beginning his shift he was called to a former schoolmate's home on a call that his 17 year-old daughter had shot herself. He never worked another day in Law Enforcement.

For the next seven years we lived in legal limbo - without insurance, without worker's compensation and without welfare assistance. It was a living hell for him, our son and me. Now 15 years later we still suffer from that fateful and tragic suicide. We will never recover our home, jobs or friendships we once had and have had to live with the stigma of having to sue his former employer.

Gary still suffers from Post Traumatic Stress Disorder as a result of the last call of his career. HB 534 would allow for mental injuries on the job to be treated the same as physical injuries within the worker's compensation laws. Law enforcement officers and emergency response personnel are the most serious at-risk employees for not having the insurance they need to be able to get medical assistance as well as to be able to support their families when this type of tragedy occurs.

My husband and I have lived and worked in Montana all of our adult lives and support this bill entirely. Please consider that most State laws do not differentiate between injuries and a mental injury is no less injurious than a physical injury - you just cannot visibly see the pain.

Thank You,



Carol A. Fiscus-Stratemeyer
#12 Park Place
Stevensville, MT 59870

TORNABENE & MCKENNA, PLLC

Charles J. Tornabene

815 East Front Street, Suite 4A
P.O. Box 7009
MISSOULA, MT 59807-7009
TELEPHONE: (406) 327-0800
FACSIMILE: (406) 327-8706

Sydney E. McKenna

February 15, 2005

Montana Legislature
House Committee on Business and Labor

Re: HB 534

Dear Committee Members:

I have been involved in the private practice of law in Missoula, Montana since 1988. During that time I have had the privilege of representing emergency workers and law enforcement officers who sustained mental injuries. My clients include: Gary Stratemeyer, Ed Zerbst and Del Crawford. I believe all three men will provide comment to this committee. Gary Stratemeyer is a former deputy from Lincoln County who in the course of his duties attended the suicide of a young girl. When Officer Stratemeyer arrived on the scene, she was still alive and he attempted to rescue her which involved removing her from her father's arms. During the rescue attempt he was immersed in her blood and later haunted by the scene. He subsequently developed severe Post Traumatic Stress Disorder (PTSD). Ed Zerbst is a former detective for Ravalli County. He investigated horrific crimes against children including incest, rape and assault. Zerbst became unable to handle his duties without emotional breakdown and was subsequently diagnosed with PTSD. Del Crawford is a former Undersheriff for Ravalli County, or second in command. During his lengthy tenure, he was shot at, assaulted and he also investigated terrible accident and crime scenes. He too developed PTSD. All three men were respected officers and loved their careers. They all filed workers compensation claims thinking that, because their injuries were job related, they would be able to obtain medical benefits and treatment. All three men were surprised to learn that, because their injuries were mental, they could not access the workers' compensation system.

I explained to my clients that their only remedy in getting assistance with medical treatment or recouping their lost wages is to sue their employer, a costly and brutal process for both sides.

While I was proud to represent these men, all injured in the line of duty, I am not proud of how the State of Montana treated them.

As a result of 9-11, there is heightened public awareness that rescuers suffer trauma injuries. It is in the spirit of this awareness that I ask you to reassess how our state treats these injuries, which necessarily involve our rescue workers and emergency personnel. These injuries can have a devastating

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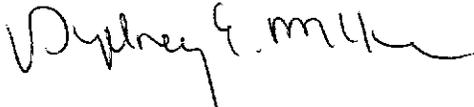
effect on the person, the person's family, the workplace, and on our society. In the almost every one of the 100 depositions of law enforcement officers that I have attended, the officer shares a story about a trauma that has affected him or his peer. The trauma they deal with in carrying out their duties is real, and they deserve help when they are affected.

Soldiers returning from Iraq who have PTSD or some other trauma injury have treatment available to them. Our federal government recognizes that, without treatment, the veterans will not be able to return and assimilate into their families and into society.

You have a chance to take similar action for the emergency workers and law enforcement personnel in Montana. I ask you to support this bill.

Thank you for your consideration of this important issue.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Sydney E. McKenna". The signature is written in a cursive style with a long, sweeping underline.

Sydney E. McKenna