

POSITION STATEMENT IN SUPPORT

LD 573: An Act Concerning Records of the Employment of Law Enforcement Officers and Corrections Officers

Presented to Maine's Joint Standing Committee on Criminal Justice and Public Safety
Friday March 26th, 2021

As the state's largest grassroots mental health advocacy organization, NAMI Maine neither supports nor opposes the passage of *An Act Concerning Records for Employment of Law Enforcement Officers and Corrections Officers*. While NAMI Maine understands the importance and necessity of thorough background checks and employment screenings for law enforcement and corrections officers, it is also imperative that officers can seek out mental health and/or substance use treatment without fearing consequences of potential stigmatizing beliefs, or concerns regarding their employment security. It is evident that the intentions behind this act are good, however, NAMI Maine is concerned it leaves corrections and police officers in vulnerable positions and increases the likelihood of them placing themselves at greater risk due to fear of accessing treatment.

Roughly 3.5% of the general population meets criteria for Post-Traumatic Stress Injury (PTSI). Law enforcement officers are at a significantly increased risk, with average estimates finding 20% of law enforcement officers meet criteria. Additionally, 10% of the general population will experience a substance use disorder. Again, law enforcement officers are at an increased risk, with estimates showing that 20-30% of law enforcement will struggle with one. Due to the complexities of law enforcement and corrections work, those in the field are faced with significant struggles that the general population struggles to understand, in turn, this can negatively impact their job. This esteemed committee has demonstrated an understanding of the impact this field of work has on both officers and their families, through providing protections regarding officers seeking treatment and passing legislation protecting officer's confidentiality in seeking treatment and support. We ask that you consider the sensitive nature of this important protection, as well as the steps previously taken into consideration regarding the passage of this act. Both the Americans with Disabilities Act and the Equal Employment Act prohibits the discrimination against an individual due to mental health challenges. We urge the committee to ensure that the same protections that are afforded to all other employees continue to be afforded to all officers.

Law enforcement and corrections officers face a daunting task and hold a high level of responsibility within the communities that they serve. They should be held to a high standard and candidates for employment should be screened and thoroughly reviewed prior to being placed in positions with such responsibility. However any records related to substance use or mental health treatment or reactions to critical incidents should continue to be safeguarded and protected. Without those safe guards, further stigma and barriers will be created in officers seeking treatment necessary for them to complete their duties to the standards the community deserves.



LEGISLATIVE CONTACT

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POSITIONS & POLICY AGENDA
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ABOUT NAMI MAINE: *Incorporated in 1984, the National Alliance on Mental Illness, Maine Chapter (NAMI Maine) is the state's largest grassroots mental health organization. With support from national and regional affiliates, the agency is dedicated to building better lives for everyone impacted by behavioral health concerns. NAMI Maine engages with leaders and community partners at all levels to improve the state's mental health system through collaboration and education.*

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