



RE: HB 1279 West Fargo City Commission Letter of Support

Thursday, Jan. 26, 2023

To the members of the House Political Subdivisions Committee:

We write you today to express our support for HB 1279, relating to the presumption of compensability for firefighters and law enforcement officers.

On Oct. 30, 2021, West Fargo Police Officer Tim Brown suffered a nearly fatal heart attack while on duty. This occurred as Officer Brown was booking multiple felony suspects into the Cass County Jail. The arrest of the suspects included a physical confrontation and refusal to walk that forced Officer Brown to help carry the suspect out of an apartment complex to his squad car.

The West Fargo City Commission was shocked and saddened to learn that Officer Brown's Workforce Safety Insurance claim was denied due to legislation that implemented a 5-year presumption clause. North Dakota has always been known as a pro-public safety state and this legislation does not align with this value. How can we ask our law enforcement officers and firefighters to do a very dangerous job without properly covering them from day 1 when they are injured during the course of their duties?

We were lucky to have recruited Officer Brown from Memphis, Tennessee and gained his knowledge and experience. In fact, in the past 2.5 years the West Fargo Police Department has diversified the department by 8 out-of-state officers. These individuals seek out the supportive environment they find in North Dakota and help keep our department fully staffed to protect our community. But their prior years of experience are wiped clean as soon as they enter North Dakota. Even Police Chief Denis Otterness, a 32-year veteran law enforcement officer is currently not covered by WSI due to the presumption clause.

We ask our officers and firefighters to protect and serve us from day 1, yet we don't protect and serve them until day 1,865. HB 1279 is not just about Officer Brown. However, Officer Brown's story has sparked a conversation about how we care for our public safety personnel. We need to fix this problem.

For these reasons we ask you to support HB 1279 with a DO PASS recommendation.

Sincerely,

Bernie Dardis, Commission President
Mark Simmons, Commissioner
Brad Olson, Commissioner
Mandy George, Commissioner
Roben Anderson, Commissioner