



National Alliance on Mental Illness

NAMI | New Hampshire

Honorable Chairman Robert Ronny Cushing
House Criminal Justice and Public Safety Committee Legislative Office Building, Room 204
36 North State Street
Concord, New Hampshire 03301
January 9, 2019

Dear Mr. Chairman and committee members:

My name is Ken Norton and I serve as the Executive Director of NAMI NH, the National Alliance on Mental Illness. I also have a family member with a serious mental illness and a co-occurring substance use disorder.

Thank you for the opportunity to testify and to provide written and oral testimony in opposition to House Bill 218. Specifically, we oppose section c 2 which seeks to repeal RSA 627:5 VIII relative to the use of deadly force in effecting an arrest.

In December of 2012, the Portland Press Herald did an investigative journalism series on officer involved shootings in which they reported that nationally, half of all officer involved shootings involved individuals with mental illness. They also reported that in many of those cases, the responding officer knew in advance the individual was mentally unstable. There have been similar investigative reports by other media sources since then, and while the estimates for officer involved shootings involving people with mental illness have come down some, they are still considered to be around 40%.

NAMI NH understands the difficulty and complexity for law enforcement officer responding to individuals who are symptomatic or suicidal and who may be engaging in a suicide by cop scenario where the subject tries to entice the officer to shoot them. As the organization which provides 16 hours of mental health training to all NH police cadets coming through the NH Police academy, we are deeply appreciative of the professional response given by law enforcement to individuals with mental illness in our state.

However, we have also responded to, and provided support to families in New Hampshire who called law enforcement for assistance with their family member in a mental health crisis only to have their loved one shot and killed.

For these reasons, we believe it is essential for this statute to continue to contain language as it does now indicating that there was no other possible means of effecting the arrest. If Section VIII is to be repealed, we suggest replacing it with the following language.

- *Deadly force shall be deemed reasonably necessary under this section whenever the arresting law enforcement officer reasonably believes there is unavoidable imminent harm to themselves or the public and that there is no other non lethal means of effecting the arrest.*

Thank you for your consideration and I would be happy to answer any questions which you may have

Respectfully

Kenneth Norton, LICSW
Executive Director

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