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March 16, 2023

Senator Forrest Dunbar
Alaska State Legislature

Dear Senator Dunbar,

On behalf of the Anchorage Police Department Employees Association (APDEA), I am writing to communicate our support of SB 103 which focuses on peer support counseling and confidentiality. Having been an integral part of the Anchorage Police Department's current Peer Support Team since its inception, I can say, with first-hand knowledge, how instrumental the Team has been in a short period of time.

Without a doubt, our team of nearly 30 trained employees have been in positions countless times to offer counseling, be a trusted listener, empathize with peers after traumatic incidents, and coordinate Critical Incident Stress Debriefs when a situation is significant enough to warrant one. I am certain these contacts have not only kept employees from spiraling into depression or allowing events to affect their work performance but have literally saved the lives and jobs of some. I know this because individuals directly involved have come to me personally and told me so.

I cannot express how important this bill is for ALL law enforcement agencies, emergency service providers, and the Department of Corrections. I truly thank you for your commitment to furthering the efforts to support our professionals whom we entrust to save lives in our communities. The ability to provide emotional and moral support to these employees only strengthens their resiliency and allows them to continue to provide exceptional service.

Please reach out to me at any time if there's anything I, or the APDEA, can do to assist with the passage of this extremely important bill. Thank you for your time and continued dedication to Alaska and its Law Enforcement community.

Sincerely,

Kelly Huston (907) 575-5013
APDEA Member since 2004

PO Box 230330
Anchorage, AK 99523

Senator Forrest Dunbar,

March 23, 2023

Thank you for introducing and carrying Senate Bill 103, Peer Support Counseling Program. After listening to the hearing in House State Affairs last week, I wanted to share with you my thoughts surrounding a lot of the representatives' questions.

The intent of this bill is not to allow for peer support counseling programs; it is to allow for police officers to participate in peer support counseling programs. It allows for first responders who have experienced a critical incident in the line of duty to talk with a trained peer counselor who has been through a similar circumstance in confidence. Currently, when first responders use deadly force or are involved in an in-custody death, they will likely be treated as criminal defendants. After the incident, they meet with a private criminal defense attorney who will advise them not to talk to anyone about the incident except those they have a protected relationship with (clergy, counselor, attorney, and/or spouse). Although many departments like AST and APD have peer support counseling programs and conduct post-incident Critical Incident Stress Management (CISM) sessions, the involved officer is usually not "allowed" to participate due to their status as a criminal defendant. If they participate, the fear is that they will be creating new witnesses to the crime they are under investigation for (i.e. Homicide, Assault 1, etc.).

From prior experience, I can tell you this is isolating and unhealthy. We train these individuals to use force to go home at night or save a citizen's life. I was involved in a shooting in 2012 and was told not to talk to anyone for two years (the statute of limitations on civil litigation). As a young officer, I did what I was told. Unfortunately, there remains a stigma in the law enforcement culture surrounding counseling; many people think they are "weak" if they talk to a counselor. As society becomes less tied to religion, many officers are uncomfortable confiding in a chaplain. Having a peer to talk to would have been amazing for me. This bill helps to begin to change an unhealthy culture.

I'd like to address some questions I've heard about the bill:

1. How can we know that someone is a trained peer supporter?

Every department should be able to select the criteria for their peer supporters. What works in Anchorage does not work in Bethel, and vice versa. There are some towns in which there is only one other Trooper. If the law included a mandatory minimum of training hours, it would likely prohibit small departments from having these important programs. I'd ask anyone asking this question: what are you trying to protect against? Even designated peer supporters would still be mandatory reporters and required to report threats of suicide, homicide, and other crimes. This law would prohibit a peer supporter from being called to testify against their co-worker and expose their biggest fears, worries, and other personal issues that might come up after using deadly force. The use of deadly force is not easy for anyone. Bigger departments like APD and AST will do their due diligence to select and train peer support to meet the

department's needs. The law should be assessed by the spirit, not the letter; the reasonableness standard applies to selecting and training peer supporters.

2. Will a peer supporter take on additional liability?

Everything a police officer does inherently has some liability, and many of us willingly take on that role because we see the reward in helping others. Once a department initiates a peer support program, and employees are trained peer supporters, they act as municipal/state employees in their peer support role. If they were to be sued, it would be like any other time they are sued, and they are sued often. Like a complaint, the department should deal with the suit and investigate the allegation, and the Department's policies define that process. Ultimately, if the employee acts within the scope of their employment, training, and experience, their employer should indemnify them. If they act in bad faith and outside that scope, they certainly would and should face personal liability. I encourage administrations and employee associations to discuss these issues before starting a peer support program. With limited budgets, many departments ask their peer supporters to "volunteer," which should be discussed with employee associations. Like any other volunteer activity in the scope of employment, general liability procedures should still cover this work area.

3. Is this movement coming from the unions; is the administration on board?

This movement is coming from unions, admin, and employees alike. The current bill is modeled after existing laws in Oregon, Washington, and the U.S. Congress. Law enforcement organizations are encouraging wellness and peer support programs nationwide. It is clear in the research that healthy police officers provide better service and increase trust within the community. The Presidential Task Force on 21st Century Policing recommended a change in police culture from a warrior to a guardian mindset, increased diversity that reflects the community, more contact and problem-solving with the community, advanced training and education of police officers, and increased officer wellness and safety. I have personally talked to many police chiefs around the state, and they all unanimously support the ability of their officers to participate in peer support programs.

Attachments

- Public Law 117-60 – November 18, 2021: An act by congress making federal law enforcement officer peer support communications confidential.
- Peer Support Team: Confidentiality Statue explanation by Dr. Jack Digliani.

Thank you again for supporting this important legislation.

Angelina (Fraize) Salvato

Anchorage, AK





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TESTIMONY ENCOURAGING THE PASSAGE OF SB 103: “An Act relating to peer counseling support programs for law enforcement agencies, emergency service providers, and the Department of Corrections.”

As an education and advocacy group, part of our mission is to encourage public officials to work proactively with law enforcement agencies to benefit the community. To that end, the **National Police Association** would like to encourage the Alaska State Legislature to allow confidential peer support counseling programs to provide emotional and moral support and counseling to peace officers and other emergency service personnel who have or will experience trauma in the line of duty.

Most police officers will see more extreme trauma and human tragedy in their first two years on patrol than most people will experience in a lifetime. These experiences combined with the uncertainty of making traffic stops and responding to dangerous events, verbal and physical assaults on officers, and the very real concern of police officers that they may be sued, terminated or indicted as a result of a use of force incident can weigh heavily on the minds and emotions of law enforcement personnel. In a recent survey by Police1.com 47% of the respondents screened positive for Post Traumatic Stress. Peer support programs can be incredibly effective in helping employees deal with the organization stress and the trauma of day to day police work and other related emergency services.

Very often police officers and dispatchers are hesitant to utilize Employee Assistance Programs or insurance-based counseling services because of privacy concerns. Additionally, traditional mental health counselors are often unprepared

to deal with the level of trauma experienced by police personnel and often the police officer client ends up “counseling the counselor” instead of receiving much needed help. Confidential peer support programs allow people to share their own experiences and offer practical guidance in a safe and relatable manner, helping all agency personnel to stay mentally strong and emotionally resilient.

Difficulty in the recruitment and retention of police officers is a nationwide problem, and Alaska is not immune to the issue. The implementation of well-trained peer support counseling can also help agencies retain experienced personnel.

The **National Police Association** believes that the mental health of our nation’s police officers, dispatchers, corrections officers, firefighters and other emergency personnel is critically important to their ability to help keep our communities safe, and we strongly encourages the passage of SB 103.

Thank you for your consideration of this request.

*Provided by Sgt. Betsy Brantner Smith (ret.)
Spokesman, The National Police Association
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