



State of Maryland
Department of State Police
Government Affairs Unit
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POSITION ON PROPOSED LEGISLATION

DATE: January 30, 2025

BILL NUMBER: Senate Bill 326 **POSITION:** Support

BILL TITLE: Public Safety – Law Enforcement Agencies – Peer Support Programs

REVIEW AND ANALYSIS

This legislation seeks to establish confidentiality requirements for peer support counseling programs for law enforcement agencies. With certain exceptions, this legislation prohibits a peer support program participant from disclosing the contents of written or oral communications regarding a peer support interaction.

Under current law, a person who discusses mental health issues with their doctor, psychiatrist or psychologist can expect that with certain limitations, their conversations and notes taken by the person are protected from disclosure. Generally, the exceptions to disclosure are threats of suicide, threats of imminent and serious bodily harm, or information relating to the abuse or neglect of a child.

Law enforcement professionals are under increased stress, have a higher risk of suicide, and patrol our streets in the most stressful situations while armed. When police officers are willing to seek help when struggling, the State must ensure that they are able to reach that help. Yet, law enforcement officers are likely to refuse assistance after critical incidents and for other life stressors (marital, financial, familial, professional) if they can be compelled to testify about what they and others say during these post-critical incident interventions. Without confidentiality protections, Peer Support Team Members also fear negative consequences from their interactions and interventions with coworkers.

Senate Bill 326 provides the necessary confidentiality protections for officers and their peers who would help them deal with the stress of critical incidents or other dangers to their mental health. Peer Support, including critical incident interventions, are not incident process oriented. Peer Support interactions are not policy & procedure after action reviews. Peer team communications do not supersede mandated reporting for serious criminal law violations, danger to self or others, any other mandatory reporting such as suspected child abuse or neglect.

Peer Support offers assistance and appropriate support resources to employees when personal or professional problems negatively affect their work performance, family unit, or self and/or after critical incidents to provide psychoeducation and to mitigate traumatic stress reactions. Senate Bill 326 removes the stigma of worrying about what will happen to a law enforcement officer should they seek the help they need and deserve.

For these reasons, the Department of State Police urges the Committee to give Senate Bill 326 a favorable report.