



Confidentiality Opportunities for Peer Support (COPS) Counseling Act

Congressman David Trone (D-MD) and Congressman Guy Reschenthaler (R-PA)

Background

Law enforcement officers underutilize peer support counseling programs due to concerns that confidentiality may not be maintained and their jobs could be jeopardized. Through the improvement of confidentiality measures, these programs can be a valued mental health resource for federal law enforcement officers.

Surveys Support the Need for a Change – A Fraternal Order of Police survey showed that 73% of surveyed officers viewed peer support as the most helpful behavioral and mental health resource offered by departments.¹ Those same officers surveyed identified stigma associated with mental health support, and the idea that the public could potentially access sensitive personal information, as the major barriers to utilizing peer support groups.

The DOJ Community Oriented Policing Services (COPS) office has provided a solution by recommending improvements to the “legislative privacy protections for officers seeking assistance from peer crisis lines and other peer support programs.”²

About the Legislation

The COPS Counseling Act:

- Provides confidentiality to federal law enforcement officers by prohibiting persons who participate in peer support sessions from disclosing any communication that occurred during a session.
- Creates clear exceptions to confidentiality in necessary circumstances, including: any explicit threat of suicide; any admission of criminal conduct; any explicit threat of imminent and serious physical harm or death to an individual; any information relating to the abuse or neglect of a child, older person or vulnerable person; or any information that is required by law to be reported.
- Accelerates adoption of peer counseling programs at the federal, state, and local levels by requiring the Department of Justice to make best practices

¹ Report on FOP/NBC Survey of Police Officer Mental and Behavioral Health. Available on <https://fop.net/CmsDocument/Doc/OfficerWellnessSurvey.pdf>

² Community Orienting Policing Services, U.S. Department of Justice, “Law Enforcement Mental Health and Wellness Act: Report to Congress” (Mar. 2019). Available at, <https://ric-zai-inc.com/Publications/cops-p370-pub.pdf>

publicly available on their website and provide a list of training programs for public safety officers to become peer support mentors.

Our law enforcement officers place themselves in harm's way to keep our communities safe. We must remove barriers to mental health services so they can seek care when they most need it.

Support for the COPS Counseling Act

The Fraternal Order of Police (FOP) & the Sergeants Benevolent Association.