

 <b>KANSAS CITY MISSOURI POLICE DEPARTMENT</b> <b>PERSONNEL POLICY</b>	DATE OF ISSUE <b>11-21-2019</b>	EFFECTIVE DATE <b>11-21-2019</b>	NO. <b>830</b>
<b>SUBJECT</b> Policy Series 800: Member's Health 830 – Peer Support Team (PST) Program		<b>AMENDS</b>	
<b>REFERENCE</b> RSMo. 590.1040	<b>RESCINDS</b>		

## I. INTRODUCTION

This written directive establishes guidelines for a program offering assistance and support resources to members of the Kansas City Missouri Police Department (Department). The Peer Support Specialists (PSS) will provide a listening ear and assist in referring the member to professional support services, however the PSS are not certified counselors or psychologists and therefore do not provide such professional services.

## II. TERMINOLOGY

- A. **Confidentiality** – A professional or ethical duty for active members to refrain from disclosing information from or about a participant of peer support counseling unless otherwise required by law.
- B. **Employee Assistance Program** – Established to provide professional counseling or support services associated with a peer support team.
- C. **Family Members** – A member's spouse, domestic partner, parents, children and/or significant other.
- D. **Member** – Sworn and non-sworn full-time employees, reserve officers, and retirees of the Department.
- E. **Peer Support Counseling Session** – Any session conducted by a PSS that is called or requested by a member in response to a critical incident or traumatic event.
- F. **Peer Support Specialist (PSS)** – An active member who:
  - 1. Is on a Peer Support Team;
  - 2. Is designated by the Peer Support Team Advisory Committee to lead, moderate, or assist in a Peer Support Counseling Session; and
  - 3. Has received specialized training in counseling and providing emotional and moral support to law enforcement officers or emergency services personnel who have been involved in traumatic incidents by reason of his or her employment.

- G. **Peer Support Team (PST)** – Peer Support Specialists who have volunteered and are trained in providing peer support services to other members and/or their families. The PST will provide assistance and services in the following situations:
1. Critical Incident/Traumatic Event – Any response as outlined in Section III, E, of this directive.
  2. Peer Support – Any situation in which a member is in need of support during or after times of personal or professional crisis.
  3. Family Support – Support provided to family members regarding critical incidents.
- H. **PST Advisory Committee** – Comprised of the Chief of Police (COP) or designee, at least one (1) mental health professional, the PST Manager, and the PST Coordinators.
- I. **PST Coordinators** – Comprised of the following members:
1. One (1) sworn representative selected by the Fraternal Order of Police (FOP) Lodge #99
  2. One (1) non-sworn representative selected by the FOP Lodge #99
  3. One (1) sworn representative selected by the FOP Lodge #102
  4. One (1) representative (sergeant, officer, or civilian) selected by the COP
- J. **PST Manager** – Will be a captain or above who is selected by the COP. Human Resources, Homicide Unit, and Internal Affairs commanders will not be eligible.
- K. **PST Psychologist** – A licensed person whose background and practice includes extensive professional experience working with law enforcement and the unique problems associated with the law enforcement profession.
- L. **Privacy** – The expectation of an individual that disclosure of personal information is confined to or intended only for the PSS.
- M. **Privilege** – The legal protection from being compelled to disclose communications in certain protected relationships, such as between: spouses, attorney and client, doctor and patient, priest and confessor, or in some states, peer support persons and sworn or civilian personnel.

N. **Trauma** – An emotional response to an event such as but not limited to; police shooting, vehicular that results in serious injury or death, or natural disaster.

### III. POLICY

- A. Participation in the PST is strictly voluntary, with no compensation, unless the activity meets the requirements outlined in Section E below.
- B. The PST will be notified in situations that involve critical incidents or the need for peer or family support.
- C. A list of the PSS will be available on the Department Intranet.
- D. Overtime compensation may be granted under the following circumstances:
  1. If a PSS is activated by the PST Manager; or
  2. If consulting with members while off-duty with the approval of the PST Manager.
- E. The PST Manager will be notified and will activate the appropriate PST response in the following critical incidents or traumatic events, within the Kansas City metropolitan area, or as directed to do so by COP or designee:
  1. Death or serious bodily injury of any member.
  2. Death or serious bodily injury of any member of the public as a result of any encounter with a current Department member.
  3. Death or serious bodily injury to any member or any person as a result of a vehicular accident, where a current Department member is operating a Department vehicle as part of their assigned duty.
  4. Death or serious bodily injury of any member or any person as a result of a motor vehicle pursuit.
  5. When a member is diagnosed with a serious illness or has a non-duty related injury, with the member's express permission.
  6. Any other serious or complex incident deemed appropriate by the on-scene commander, which may include retirees.

F. The PST Manager will activate a maximum of two (2) PSS members per incident unless more are requested by the COP or designee.

G. The PST will:

1. Promote trust, allow appropriate anonymity and preserve confidentiality for all members using the PST within the guidelines of the program and under law.
2. Provide support during and after times of personal or professional crisis to members who express a need for assistance.
3. Develop active members who can identify personal conflicts and provide referrals to professional or alternate resources as needed.
4. Maintain an effective PST training and response program.
5. Follow Department policy and procedures.

H. Confidentiality

1. The confidentiality provisions protect communications, notes, records and reports arising out of a peer support counseling session with sworn members, reserve officers, auxiliary officers, detention officers, and dispatchers. The confidentiality provisions will not protect other members who are not listed in this section.
2. The confidentiality provisions will not apply to:
  - a. Threat of suicide or criminal act made by a member in a peer support counseling session, or any information conveyed in a peer support counseling session relating to a threat of suicide or criminal act;
  - b. Information relating to abuse of spouses, children, or the elderly, or other information that is required to be reported by law;
  - c. Admission of criminal conduct;
  - d. Disclosure of testimony by a member who received peer support counseling services and expressly consented to such disclosure; or
  - e. Disclosure of testimony by the surviving spouse or executor or administrator of the estate of a deceased member who received peer support counseling services and such

surviving spouse or executor or administrator expressly consented to such disclosure.

- f. Oral communication, notes, records, or reports arising out of a peer support counseling session shall not be public records and shall not be subject to the provisions of RSMo. Chapter 610. Nothing in this section limits the discovery or introduction into evidence of knowledge acquired by any law enforcement personnel or emergency services personnel from observation made during the course of employment, or material or information acquired during the course of employment, that is otherwise subject to discovery or introduction into evidence.
3. Confidentiality will be maintained between all members of the PST and the PST Advisory Committee to the extent allowed by Department policy and by law and subject to the same provisions of Section III, H.
4. The PSS shall not disclose communications, notes, records, or reports from a counseling session not covered by Section III, H, 1, outside of PST members, supervisors, or staff of an Employee Assistance Program unless otherwise required by law.
5. The PSS shall disclose information in accordance with Section III, H, 2.
6. The PSS shall disclose to the Human Resources Director any information learned, conveyed or acquired that relates to actual or perceived discrimination or harassment or other civil rights violations.
7. Prior to any discussion, PSS should refer members to this policy in regard to the confidentiality limitations and exceptions. A PSS has no authority to assure a conversation is confidential.
8. The PSS should consult with the PST Manager in cases where a concern or question arises regarding confidentiality issues.
9. If the PST Manager has continued concerns, the PST Manager should consult the Office of the General Counsel.
10. When a PSS is assisting a member who is or becomes the subject of an internal investigation, the PSS will adhere to the confidentiality procedures in Section III, H.

- a. The Department will not question, interview or interrogate a PSS regarding conversations pertaining to their counseling sessions with members that fall within the confidentiality afforded under Section III, H.
- b. The Department may question, interview or interrogate a PSS when:
  - (1) The PSS is the subject of an investigation, or
  - (2) The PSS is a witness to any conduct that is the subject of an investigation.
- c. A PSS will:
  - (1) Not volunteer any information received in confidence unless required by Department policy or by law;
  - (2) Not hamper or impede the actual investigation, or attempt to shelter the member from the investigation; and
  - (3) Be one of support and assistance for members experiencing the stress of an internal investigation.

## **IV. PROCEDURES**

### **A. PST Activation**

- 1. Upon notification of an incident, the PST Manager will notify the appropriate PST Coordinators based upon the circumstances.
- 2. The PST Coordinator will notify the appropriate PSS to respond.
- 3. Upon activation, the PSS should notify their immediate supervisor as to their assignment.

### **B. PST Advisory Committee**

- 1. The PST Advisory Committee is responsible for administering the program and will meet:
  - a. Quarterly; or
  - b. At the request of the PST Manager, Chief of Police, or designee; or

- c. When two (2) or more members of the PST Advisory Committee request a meeting. If requested, the meeting will be called within 30 days.
  - 2. The PST Advisory Committee will:
    - a. Establish and review PST training requirements.
    - b. Attend training when practical.
    - c. Establish, review, and revise the PST's guidelines and procedures.
    - d. Select PSS through an application process.
    - e. Ensure compliance with the program's procedure governing confidentiality.
    - f. Provide periodic reports of program activities to the Executive Committee (i.e., quarterly overtime report).
    - g. Provide program awareness through Department member orientation and training.
    - h. Identify local community resources that may support the program's purpose and goals.
  - 3. The PST Advisory Committee may remove a PSS from participation in the program.
- C. The PST Psychologist will be selected by the PST Advisory Committee.
- 1. The PST Psychologist's responsibilities include:
    - a. Serving on the PST Advisory Committee.
    - b. Providing instruction for the PST program on offering assistance and support services.
    - c. Acting as an advisor to the PST.
  - 2. The PST Psychologist will not replace Department procedures regarding post critical incident debriefs.

D. PST Manager Responsibilities

1. Report only to the COP or designee on issues, concerns, training needs, and any other business pertaining to the operation of the program. No identifiable information will be shared with the COP.
2. Appoint a Department member of the PST Advisory Committee to serve in their place if they will not be available at any specific time. The PST Manager will notify the COP or designee.
3. PST Manager responsibilities will include:
  - a. Daily supervision of the program.
  - b. Serving as chairperson of the PST Advisory Committee.
  - c. Recruiting and coordinating the screening of PSS applicants.
  - d. Coordinating training of the PSS.
  - e. Developing resources to assist a PSS when problem areas are identified.
  - f. Maintaining anonymous statistical data of reported contacts by PSS.
  - g. Maintaining a record of expenses associated with the program and reporting those to the Financial Services Unit.
  - h. Offering guidance to PSS as needed.
  - i. Maintaining and distributing a current list of PSS to all Department members.

E. Peer Support Specialist (PSS)

1. All interested members who choose to volunteer as a PSS must submit their written request and a letter of recommendation through their chain of command and forward to the PST Manager.
2. A PSS will:
  - a. Not be serving any POST suspension or on any type of POST probation.

- b. Not be the subject of a criminal investigation or pending disciplinary action that could be appealed to the Board of Police Commissioners.
  - c. Agree to maintain confidentiality within the guidelines provided in Section III, H of this written directive.
  - d. Be empathetic and possess strong interpersonal and communication skills.
  - e. Successfully pass a structured oral interview before the PST Advisory Committee.
  - f. Be willing to attend and successfully complete the training as required by the PST Advisory Committee.
  - g. Wear their Peer Support Team identification when they arrive at a critical incident and during all Peer Support Counseling Sessions.
3. PSS responsibilities will include:
- a. Providing support and assistance on a voluntary basis to members and/or their families in times of personal and/or professional crises.
  - b. Conveying trust, anonymity and assuring confidentiality to members who seek assistance from the PST.
  - c. Assisting members by referring them to the appropriate outside resource when necessary.
  - d. Maintaining contact with the PST Manager regarding program activities.
  - e. Being available to be contacted during on-call status and, if practical, to respond at any hour.
  - f. Attending quarterly trainings. If unable to attend, submit a memo for approval by the PST Advisory Committee.
4. A PSS may voluntarily withdraw from participation at any time. They are, however, required to notify the PST Manager in writing.
5. A PSS in good standing may ask the PST Advisory Committee, in writing, to place them on inactive status.

6. To be reinstated to active status, the PSS will submit a written request to the PST Advisory Committee.
  - a. The PST Advisory Committee will either deny or approve the request.
  - b. If approved, the PSS will be informed of the training requirements for reinstatement.

Richard C. Smith  
Chief of Police

Adopted by the Board of Police Commissioners this 13th day of November, 2018.

Nathan Garrett  
Board President

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