



November 28th, 2023

Senator Cabral-Guevara, Chair

Members of the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families

Testimony on 2023 Senate Bill 621

Relating to: public safety peer counseling and privilege for peer support and critical incident stress management services communications and granting rule-making authority. (FE)

Thank you, Chairwoman Cabral-Guevara and other members of the committee, for hearing my testimony on Senate Bill 621 today. Since I served as a police and fire chief, I wanted to share a brief synopsis of what a critical incident is like for first responders.

Dispatch takes the call; it's an active shooter situation. Our dispatchers are to remain calm while there are individuals on the other line screaming and crying out for help. Dispatch hears shots fired and need to respond accordingly. They are to remain on the line, trying to get as much information from a situation that is total chaos. We as first responders trust they are getting the best information possible to us, as they continue to hear and witness situations that can be extremely traumatizing. Dispatchers are the heroes we don't see. Then, as an officer, you are now confronting the situation in real time. You don't know how the situation has progressed or threats you can potentially experience. You arrive on scene, immediately try to gather information, . Now, you do what you were trained to do; find the threat. During your search you can walk by people who are shot and injured, or even dead. You have to keep going because you can't stop until everyone is safe. You find the threat, you engage the threat, you stop the threat. The incident is resolved, so what's next? You write your report and go home right? It doesn't quite work that way. You take this stuff with you. Let's talk about our fire and EMS point of view. What does this look like for them? Fire and EMS response individuals arrive on scene, assess what happened, start setting up triage, and provide any other medical necessities.

All of these individuals that work as dispatchers, police officers, firefighters and EMT responders, even corrections officers, experience situations none of us can even imagine. These situations are impactful, they are mentally harmful. Their lives and their wellbeing are constantly at stake. Mental health issues within these individuals are consistently rising. Their traumatic experiences are not being recognized because they feel they don't have someone to talk to. Can they talk about how angry or sad they are? What can be said without getting fired? We need to show support for the individuals who put their life and mental health at risk every day. We need this bill because it can change and protect the lives of many important individuals within our community.

SB 621 requires the Department of Justice to establish guidelines and training program for peer support teams and critical incident stress management teams. During the 2019 Speaker's Task Force on Suicide Prevention, we heard law enforcement testify on the importance on having a peer to talk to about the stresses of their jobs. Dana Vike, Program and Policy Supervisor with the Wisconsin Department of Justice, presented to the task force on the possible increase in suicide within officers and ways we can prevent this. One of the initiatives she recommends is the use of peer support training and privacy protections. The ultimate advantage through the utilization of peer support groups is the understanding between both parties. They both understand each other's jobs and what goes on day-to-day which can be very advantageous. In a survey conducted, 79% of respondents claimed they experienced at least one critical stress-related event as a police officer. However, 73% of respondents explained that peer support was the most helpful treatment when it came to aiding their mental health and stressors from their job.

STATE SENATOR

JESSE



JAMES

23RD DISTRICT

DOJ has existing training that they already use to help departments around the state establish peer support programs. This bill would help codify the trainings and standards for peer support programs so that every program in the state is held to the same expectations and principles. This bill also protects the conversations during peer support sessions, making our first responders and corrections officers feel more comfortable with utilizing these services. These privileged conversations no longer apply however if there is evidence of child abuse or neglect, there is a sign of the individual being a clear and present danger to others or themselves, or a crime has been committed, there plans to commit a crime, or the intent to conceal a crime.

Senate Amendment 1 was introduced after speaking with law enforcement and firefighter groups. This amendment would expand the definition of agencies allowed to establish peer support teams to include nonprofits that employ, represent, or serve the groups listed in the bill, removes the Law Enforcement Standards Board's role in the establishment of training, and expands what programs technically qualify as peer support training in order to be certified to participate in a peer support program.

We are in the year of mental health, but in my opinion, every year should be about mental health. We need to be able to provide these protections to our people who serve day in and day out, 365 days a year, 24 hours a day, 7 days a week. Thank you, and I will take any questions at this time.

Respectfully,

A handwritten signature in black ink, appearing to read "Jesse James".

Senator Jesse James
23rd Senate District
Sen.James@legis.wisconsin.gov



JOEL KITCHENS

STATE REPRESENTATIVE • 1ST ASSEMBLY DISTRICT

**Testimony for the Senate Committee on Mental Health, Substance Abuse
Prevention, Children and Families
November 28, 2023**

Thank you, Chairman James and members of the committee for holding this public hearing on Senate Bill 621.

We have been working on this bill for several months receiving input from the Department of Justice (DOJ) and several law enforcement agencies. This bill allows DOJ to create a program that allows agencies to establish peer support and critical incident stress management (CISM) service teams.

First responders are always there when we need them. Often, the job takes its toll on them emotionally and mentally as they deal with stressful and dangerous situations regularly. According to a study published last year by the International Journal of Environmental Research and Public Health approximately 90% of the general public report having experienced at least one critical incident in their lifetime.

The same study found that first responders can experience anywhere between one hundred to more than one thousand critical incidents throughout their careers. This will depend on which community they are serving and oftentimes these critical incidents are more graphic than the general public's and they might feel like they are unable to talk to anyone. Having to emotionally manage all these traumatic events on top of typical life stress-inducing events, such as finances, family responsibilities, health, etc. can often have a tremendous negative impact on their mental health.

This issue was first brought to my attention by a Sheriff's Deputy from my district who told me about how peer support programs can be an effective way to help law enforcement, firefighters, EMTs, and other emergency personnel deal with the emotional stress of their jobs.

Peer support teams provide emotional and tangible support to public safety employees in times of personal or professional crisis. Often providing 1-on-1 support from peers to help them deal with everyday difficulties. While critical incident stress management on the other hand is an interventional protocol developed specifically for dealing with traumatic events, handled by people who understand their trauma. This would consist of defusing, debriefings, on-scene, and 1-on-1 support services. CISM's are intended to help them return to a normal lifestyle after they have been in a traumatic event. These



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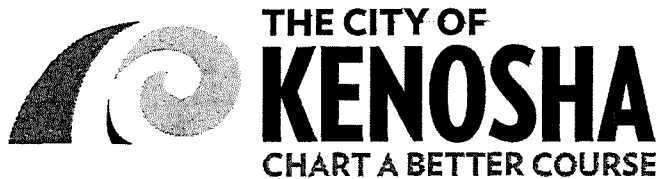
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two programs go hand in hand to help public safety employees keep a healthy attitude by reducing stress and providing mental health support.

We must make sure first responders get the help and support they need so they can be there for us when we need help.

I am proud to introduce this bill. Thank you for your time and to my co-authors Chairman James and Senator Ballweg. I hope you consider supporting Senate Bill 621.



Jason Tetrick
Training Officer

Dear esteemed Wisconsin Legislature,

Thank you for taking the time and considering AB576.

I have been a Kenosha Police Officer for over 15 years, have been part of the PEER Team for nearly 10 years, and have been the Secretary for the Kenosha Professional Police Association (KPPA) for the last five years. I am currently assigned to the Training Division at the Kenosha Police Department. Prior to becoming a police officer I went to a Christian college and became a licensed minister in Illinois where I worked full time for seven years in a church. My path to becoming a police officer is not typical which gives me a unique perspective.

This letter is being written to ask your support for AB576. AB576 will standardize PEER Training and give trained PEER Members privilege with a few exceptions. Privilege will give PEER Members the ability to just listen without having to put boundaries on what can be talked about. An example would be if a KPD officer is involved in a critical incident our department quickly assigns a PEER Member to that officer. Currently, the PEER Member would need to tell that officer that they can not discuss any details of the incident with anybody unless they have privilege like legal representation, a licensed therapist, or clergy. While our department can typically facilitate this quickly there are many departments that cannot. The officer that just experienced one of their most traumatic life experiences has to keep it bottled up until somebody with privilege is able to speak with them. This is an entirely real example that I have experienced several times.

To me, having a well-trained PEER team is the most important thing a police department can offer its employees. Having privilege is a powerful tool for well-trained PEER Team members. Recently my 18-year-old son who is a senior in High School spoke to be about becoming a Police Officer. I gave him my insight and told him that unless a department has a good PEER Team, he should not consider applying at the department. I have countless stories of police lives I know how been saved from suicide and helped to deal with alcoholism, depression, family challenges, financial issues, and many other things that we as people deal with. This is one of the most stressful and traumatic professions there is. PEER Teams are in my perspective the most important thing a department can do for its people. AB576 helps address this state wide with proper training and privilege.

I thank you again for you taking to the time to read this letter and considering AB576.

Respectfully,

Jason Tetrick #560
Training Officer and PEER Team Member
Kenosha Police Department
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Thank you for this hearing. I'm beyond grateful for this moment. My name is Felicia and I've been an officer for 27 years. I have run our peer support team at the Kenosha Police Department for 12 years & the last 6 years I have been teaching departments around the state on how to have a peer team. I have no idea how to put my 12 years of work into a few minutes. My choice is to be real.

I have sat with hundreds of officers that were completely broken. They had lost their light. They lost their families, their hope in life, they were afraid, addicted, and suicidal. Quite honestly this job broke them. We die twice as much by our own hand then from the "bad guy".

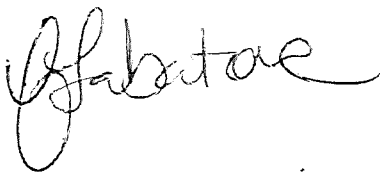
I'm asking you to say yes to this Bill. This is not just words on a page. This gives trained peer members privilege. That word privilege is lifegiving, life renewing because cops talk to other cops and trust them.

Your yes says, we believe in you. Your yes says talk to your peer support. Your yes says your life matters. Your yes gives them hope that their life can get better. Your yes will absolutely save lives. This will save families from destruction. This will save departments from burying their own.

I believe today you have the opportunity to make the first step toward saving the lives of our First Responders in Wisconsin! This may sound intense because it is. Our first responders protect the citizens of this state every single day. I'm asking you to protect them and let them feel safe enough to raise their hand and say I need help too.

We need you, I need you.

Thank you for your time & attention.



Felicia Labatore
Peer Coordinator
Kenosha Police
Oct 30, 2023

October 30, 2023

To Whom It May Concern:

I am writing to support **Assembly Bill 576** Relating to: public safety peer counseling and privilege for peer support and critical incident stress management services communications and granting rule-making authority.

I am a Licensed Clinical Social Worker in the State of Wisconsin and have provided support to first responders for over 20 years. I am a primary educator for the Peer Support Classes for fire and law enforcement in our state and an approved instructor with the International Critical Incident Stress Foundation to teach the Individual and Group Crisis Intervention classes (CISM). I currently work as the Mental Wellness Coordinator with the City of Kenosha Police Department and Fire Department. I have trained hundreds of first responders in both peer support and in CISM. The training provided is evidenced based and effective to support first responders following a critical incident. We know that first responders generally lack trust to individuals outside of the industry. We also know through research by Boscarino, J., Adams, R., & Figley, C. (2011). Mental Health Service Use After the World Trade Center Disaster: Utilization Trends and Comparative Effectiveness. *Journal of Nervous and Mental Disease*, 199, 91-99 that Crisis Intervention is found to be superior to Psychotherapy post disaster.

This information is crucial because of the rate of critical incidents first responders see in a career (roughly 800 verses the general public who see 3-4 in a lifetime). Effective peer support is critical to saving the lives of our first responders and the ability to share/tell their "story" to a trained peer supports mental health recovery following a critical incident. Research in the neurobiology of trauma tells us that the way the brain processes trauma leaves for "gaps" in recall of the event immediately and the event is left without emotional language assigned. A first responder being able to share their story immediately and without reserve with a trusted peer, sets the stage for effective processing of the trauma experienced. This is so critical because without effective coping, the event gets "stuck" in the mid brain and negative consequences can be experienced. Consequences like substance use disorder, isolation, anxiety, PTSD and suicide. Allowing peer privilege is a crucial step in saving the lives of our first responders.

I'm sorry that I am unable to be in person for this hearing. I fully support the bill and ask for your support as well. I am happy to provide any additional information necessary upon request.

Thank you,

Kristen Herreid, MSW, LCSW, AEMT

Kristen.herreid2019@gmail.com



Chief Patrick Patton
City of Kenosha Police Department

Dear Esteemed Wisconsin Legislators,

My name is Patrick Patton and I am the Chief of Police in Kenosha, Wisconsin. I am writing this letter in support of **WI LRB-2634/1 and LRB-4984/1**. The proposed legislation is paramount in addressing the long overdue issue of the wellness of first responders in Wisconsin. We know that first responders endure a disproportional amount of stress and trauma while serving their communities and the need for well-trained and properly supported peer support teams are pivotal in providing that support. Our first responders face difficult and dangerous jobs, but they are still more likely to die by suicide than in the line of duty. This a statistic we need to end.

The challenges of a first responder are well-known and well-documented. They face long hours, decreasing public support, and a stigma of “suck it up” within the profession. First responders are expected to endure what most humans don’t, so without proper support, they become programed to reject human-like emotions. In a recent poll, stigma was identified as a barrier in 90% of officers looking for mental health services. Research indicates that the average person experiences 3-4 traumatic incidents in their lifetime, while an average officer experiences 400-600 traumatic incidents in their careers. Officers are 250% more likely to experience post-traumatic stress disorder (PTSD), and I would argue that any first responder with experience is managing post-traumatic stress in one way or another. Officers suffering from PTSD or PTSD-like symptoms have a higher likelihood of exhibiting violent tendencies towards the community and towards themselves, in part due to patterns such as “death imprint” and “desensitization” commonly displayed by individuals suffering from PTSD. As we look towards improving law enforcement in Wisconsin, we need to take a multifaceted approach. Making sure that officers in our communities are well should be a top consideration.

I am respectfully asking for you to support this bill, which gives the basic framework and protections needed for effective support services for our first responders to ensure we recognize their sacrifices to the communities they serve. I thank you for your time and consideration in this important matter.

Respectfully,

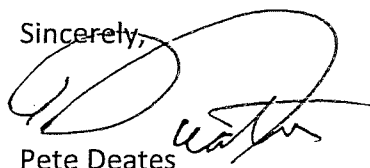
Patrick D. Patton
Chief of Police
Kenosha Police Department
Email – ppatton@kenosha.org
Phone – 262-605-5233

I have been a police officer for the Kenosha Police Department for 21 years and I have been the police association president for 12 years. I am currently a detective and for the past 5 years, I've been a member of the Wisconsin Department of Justice, Internet Crimes Against Children Task Force. I've seen first hand and have experienced myself how critical incidents can affect police officers.

Most people expect officers to be strong, mentally and physically. I expect that as well and believe most are. But when a police officer experiences some of these incidents, their mentality changes drastically. Having the ability to speak to a Peer Support member about what they are experiencing, not only will them at that moment, it will help them cope with it for the rest of their lives.

Unfortunately, I have seen officers lose their lives after they have been involved in critical incidents. By approving this bill, you will have the ability to save lives of police officers.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Deates", written over a large, stylized circular flourish.

Pete Deates

Detective/President of the Kenosha Professional Police Association.

My name is Melissa Wiesner. I am the Assistant Police Chief of Two Rivers Police where I have been a sworn officer for over 21 years. I have my Master's Degree in Counseling and have focused on trauma and law enforcement in my volunteer time. I am part of the WI Law Enforcement Death Response Team and Executive Peer Support Team, the Manitowoc County CISM and Peer Support teams, as well as the WI DOJ Peer Support training team. I have been involved in helping our first responders for over half of my career in law enforcement.

This bill encompasses two main points; standardized training requirements to meet basic criteria much like many of our current first responder trainings and secondly, privilege communication for trained peer support or CISM team members. You will see in the definition in the definition that peer encompasses many first responders as we are generally on these incidents and scenes together, so we debrief and support those first responders after the incidents. The privileged communication isn't about secrets of the incident or procedures, it's about the emotions and difficulties the first responder is experiencing from the incident and trauma. We are mandatory reporters and those mandatory reporting requirements do not change for divulences such as abuse, crimes, etc.

Law Enforcement experiences over 188 major traumatic events in the average 30-year career. This is compared to the average citizen who experiences an average of 2-3 traumatic events in a lifetime. Expecting Officers to be exposed to this much trauma and not be affected is like expecting someone to walk through water and not get wet. This year alone we already have 4 line of duty deaths and two suicides. From 2019-2022 we have had 6 felonious line of duty deaths, 4 COVID deaths and 10 suicides in WI.

I think we all understand this and have worked tirelessly over the past decade to help our first responders by trying to change the stigma of asking for help, we began peer support teams, created CISM teams to hold debriefings and defusings, we have vetted law enforcement clinicians, put bills like Act 29 in place, all to make getting help easier for first responders. We need to take care of the people who still want to get into this career and those who are already in it because finding those people in the first place is becoming more and more difficult.

Peer Support Teams and CISM Teams are agency accepted teams with members who go through an application process, must go through approved training, be approved by agency heads, and follow agency policy and procedures. Peers are utilized because they are peers and know the people the support, understand the culture, know the resources, and generally don't have finances attached to them.

We know as a regular citizen it is difficult enough to get in to see mental health professionals, imagine having an even smaller pool of professionals to choose from that are covered by insurance and understand first responder traumas. This is why we work so hard to create local peer support teams, statewide peer support teams, an app to reach out to others across the state, a team to respond to traumas. We write grants and volunteer our time to teach others peer support and to offer peer support because we know how important it is. In a survey conducted back in 2016 over 60% of officers in the state said they feel comfortable reaching out and utilizing peer support in a time of crisis. That is an incredible number, and it has only grown from then.

The benefit is that peers are out there working with first responders, and they are trained and readily available and first responders trust them and want to go to them. The problem is that peer supporters

and CISM team members don't have privileged communication. All first responders understand privileged communication and know to be careful of what they say and to who. In a time of crisis and need, first responders need to know they can confide and trust in those who are there to support them and already understand them and the career. Our peers are our first line of defense and the people who know our first responders the best. It opens a whole new avenue of protection for our first responders to have local, cost efficient, peers they can go to at any time and have peace of mind on privileged communication.

We have trained peers and CISM members who offer support already, we hold debriefs after major traumatic events, we respond out to all line of duty deaths and suicides and offer anything from individual support to group debriefs. We have the processes in place, this bill just enhances what we have worked so hard for. Having approved members with privileged communication makes the support and debriefs a place where first responders can speak freely and honestly and have the processes work as intended. Most agencies can't find or afford a private mental health professional to be on staff or attend their debriefs to have that privileged communication. I can tell you of dozens of individuals that have told me that a debrief or peer supporter has saved their life so the processes work. On the flip side I know of too many cases where first responders admitted to not opening and being honest because they were afraid of what would be said or done afterwards because what they say isn't protected.

In working with hundreds of first responders and officers in crisis and survivors following an officer's suicide, I know that many first responders are still worried about asking for help because they worry about what people will find out and what will happen to their job. If they go to an outside provider with privileged communication, that person probably won't know how to answer some of those questions or how it works in an agency.

In the past year between DOJ and the Law Enforcement Death Response Team we have trained over 800 peer supporters to help our first responders across the state for free. We need to continue to change the stigma, use the resources we have in place and give the trained supporters privileged communication to help support those in need. By having standardized training requirements and privileged communication, more first responders will have access to trained peers and team members who can see warning signs more quickly, offer support, have privileged communication, get the truth and find the right help and resources our first responders need to help them heal, stay alive and if appropriate, in the career.

We believe strongly that this bill will save lives and careers at no cost or burden to agencies or citizens.

Thank you for your time.

Melissa Wiesner

PROFESSIONAL FIRE FIGHTERS OF WISCONSIN, INC.

321 EAST MAIN STREET, SUITE 200, MADISON, WI 53703-2840

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MEMBER OF INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

MEMBER OF WISCONSIN STATE AFL-CIO



MAHLON MITCHELL
STATE PRESIDENT

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STATE VICE-PRESIDENT

STEVE WILDING
STATE SEC. / TREAS.

Testimony of Mahlon Mitchell State President Professional Fire Fighters of Wisconsin SB-621 – Peer Counseling

Thank you, Chairman James and members of this Committee, for holding this hearing. We appreciate the opportunity to testify on this important issue and to express our strong support for SB-621.

My name is Mahlon Mitchell, I am State President of the PFFW. We have members in over 100 communities across the state. Most of our members are both firefighters and EMS providers. Some have the single role of firefighter and others have the single role of Paramedics. We call these members stand-along Paramedics. All of our members are full-time and of course get paid for their services.

Last session most of the organizations here today worked hard to pass legislation that provided Workers Compensation coverage for police and firefighters that have been diagnosed with PTSD. That legislation was needed due to the increasing occurrence of suicide among our members. That legislation applied to those with the most severe type of mental disease.

We recognized with that legislation there developed a growing concern with our Peer Counselor Teams being subject to inquiries from management about what they knew about a brother or sister in their darkest hours. There was a concern with those with a mental disease and their peer counselors that they could be subject to action that could result in the loss of their job or other types of discipline.

SB-621 is a logical step to address those concerns for those with PTSD as well as other mental health concerns.

Peer counseling is not a new concept for our firefighters and EMS personnel. We have been providing this service to our members for many years. The Professional Fire Fighters of Wisconsin Member Assistance Program (PFFW MAP) Peer Support Team was developed almost 30 years ago in the early 90's after multiple firefighter suicides occurred within our state. Because of the success of the program and Team Members, the PFFW MAP Team was invited to New York City following the 911 attack on the twin towers and to Louisiana after hurricane Katrina to provide support to emergency responders in these areas. Since then, the PFFW MAP Team continues to provide confidential support to emergency responders whenever the need arises.

To become a PFFW trained peer counselor an individual must go through a combination of a 3-day, 24 hour Assisting Individuals in Crisis and Group Crisis Intervention course, from the International Critical Incident Stress Foundation (ICISF) and a 2-day, 16-hour training from the International Association of Fire Fighters (IAFF) Peer Support Program. As well as the expectation to attend at least 50% of quarterly team training over a two-year period.

Our Professional Fire Fighters of Wisconsin Charitable Foundation (PFFWCF) has been facilitating these trainings in Wisconsin both quarterly and regionally throughout the State and are on track for achieving their goal of having 150-200 newly trained peer supporters by the end of next year. In fact, they are holding a 3-day, 45-person class in Oak Creek as we speak.

The one concern we had with the bill is that the bill assumed peer support programs are run by an "agency". The narrow definition of agency in the bill does not seem to cover the PFFW. The PFFW is not an agency, we are a labor union. Our union works with fire departments to provide this service. We worked with the authors to correct this in what we assume is an oversight. It is taken care of in Senate Amendment 1.

The heart of this legislation for our members is the protection they will receive from their employer using mental health information either against the individual with the mental health issue and those peer counselors that are providing assistance to their colleague.

Of the various options available to our members with mental health issues, a recent survey shows that counseling with peers is the most trusted form of treatment. We don't want to do anything to discourage the use of our peer counselors.

Confidentiality is paramount to the success of any peer support program. Because of the confidential nature, utilization of peers is difficult to measure. However, over the last four years, the PFFWCF and Rogers Behavioral Health Research Center conducted their annual Wisconsin Fire and EMS Mental Health survey. The results show that peer support is found to be both the most utilized service and the most effective for improving the mental health of our firefighters.

Our members with mental health challenges are often afraid to discuss their issues with those they work with for fear that if management learns of those discussions it could result in action against them from their employer. Likewise, our peer counselors fear they could be used as pawns in forcing them to reveal what they know about a colleague. They fear it could result in action against the person with the mental health issue or it could result in action against the peer counselor if they refused to reveal what they knew about the member they are counseling.

This legislation is an important step in removing that barrier to our members that might be thinking of seeking peer counseling and from our members that have volunteered to be peer counselors in the aid of their fellow brothers and sisters.

For these reasons, the PFFW supports this important legislation and gives thanks to those of you that are sponsors of the bill.

I would be glad to answer any questions you might have about our program or its success.

Thank you