

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENFORCEMENT

DIRECTIVE

DIRECTIVE NUMBER: A-32-25

SUBJECT: Peer Support Program

EFFECTIVE DATE: 12/16/2025

SPECIAL INSTRUCTIONS: None.

APPENDIX: None.

REFERENCE: Minn. Stats. § 13.02, § 13.43, § 181.9731, and § 181.9732; Directive O-2.

DISTRIBUTION: All officers

NUMBER OF PAGES: 6

This directive is for division use only and does not modify or supersede any law and should not apply to any criminal or civil proceeding except for civil proceedings related to departmental administrative actions. This directive should not be viewed as creating a higher standard of safety or care in any evidentiary sense. Violations of this directive may form the basis for departmental administrative action.

I. Purpose

The purpose of this document is to provide guidance on establishing and maintaining a proactive Peer Support Counseling Program for the division's licensed officers. While the division provides peer counseling support for non-licensed staff, the legal protections described within this directive apply only to licensed first responders.

II. Policy

It is the policy of the division to prioritize employee wellness to encourage and support a healthy quality of life for division employees. The division will provide a Peer Support Counseling Program that supports its employees with proactive wellness resources, critical incident response, and follow-up support.

III. Definitions

Critical Incident: An event that results in acute or cumulative psychological stress or trauma to an officer. Critical incident includes, but is not limited to, any encounter that may result in the death of or serious injury to another person. Critical incidents may cause officers to experience unusually strong, but normal, reactions and have the potential to interfere with their ability to function in the workplace or at home. An adverse reaction may occur immediately after the event or sometime after the event. Typically, these reactions are described as “normal reactions to abnormal situations.”

Critical Incident Stress Debriefing (CISD): A structured group process led by behavior health professionals and emergency service peers designed to assist participants with understanding the thoughts, emotions, and behaviors that occur because of a critical incident. The CISD is typically done 24 to 72 hours after the incident. Attendance is limited to the emergency service personnel who were directly involved in the incident. Although attendees agree to maintain strict confidentiality, communications made during the debrief may not be legally protected as confidential or privileged. Therefore, attendees should be mindful that they could be subpoenaed to testify about a debriefing.

Critical Incident Stress Management Team (CISM): A group organized to provide critical incident stress management to emergency service providers. A critical incident stress management team may include members from any emergency service discipline, mental health professionals, and/or designated emergency service chaplains. The goal of a CISM Team is to reduce the impact of an event, speed the recovery process, and assess the need for additional services. The division does not maintain its own CISM Team but may refer an officer to a regional CISM Team led by other emergency service providers after a critical incident.

Peer Support: Mental and emotional wellness support provided by employees trained to help peers cope with critical incidents, traumatic events, and certain personal or professional problems.

Peer Support Counseling Team: A group of division employees from various ranks and assignments that have met the selection criteria and completed peer support training. Team members are not trained therapists or licensed counselors and are not intended to take the place of professional treatment.

Peer Support Counseling: One or more sessions, led by a peer support counselor, designed to help an officer who experienced an occupation-related trauma, illness, or stress develop skills and strategies to better understand, cope with, and process emotions and memories tied to the trauma, illness, or stress. Peer support counseling includes group sessions led by a peer support counselor, one-to-one contact with a peer support counselor, and meetings with a peer support counselor to obtain referrals to appropriate mental health or community support services.

Peer Support Counselor: A division employee who is:

1. Specially trained to provide public safety peer counseling services in accordance with standards that are both (i) established by an accredited mental health organization or network, and (ii) recognized by the commissioner of Public Safety; and
2. Designated by the emergency service provider’s agency to provide such services.

IV. Peer Support Counseling Team Lead

The team lead shall be a peer support counselor and shall collaborate with advisers (e.g., Human Resources Department, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- A. Recommending wellness support providers (e.g., licensed psychotherapists, external peer support providers).
 - 1. Recommended providers shall be trained and experienced in providing mental wellness support and counseling to public safety personnel.
 - 2. Using qualified peer support personnel from other public safety agencies or outside organizations for division peer support, such as CISD teams, as appropriate.
 - 3. When practicable, the division should not use the same provider for both employee wellness support and fitness for duty evaluations.
- B. Overseeing the management and operational procedures of the Peer Support Counseling Program, such as:
 - 1. Team member selection and retention.
 - 2. Training and applicable certification requirements.
 - 3. Deployment of peer support counselors.
 - 4. Managing potential conflicts between peer support counselors and those seeking service.
 - 5. Monitoring and mitigating peer support counselor emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
- C. Verifying employees have reasonable access to peer support counselors or licensed psychotherapist support.
- D. Recommending procedures for CISDs, including:
 - 1. Identifying potential types of incidents that may initiate debriefings, such as those listed in Directive O-2.
 - 2. Steps for organizing debriefings.
- E. Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- F. Collaborating with the Training Section to provide all employees with regular education and training on topics related to employee wellness.

V. Peer Support Counseling Team Member Selection Criteria

Peer Support Team members are selected from division personnel and serve at the discretion of the director. The selection criteria shall consist of:

- A. Completion of probation.
- B. Commitment to maintain confidentiality within the guidelines provided in this policy.
- C. Motivated to help their coworkers.
- D. Being empathetic and possessing good interpersonal and communication skills.
- E. Willingness to attend required initial and ongoing training to become peer support counselors, as well as scheduled meetings.

VI. Team Member Responsibilities

Peer Support Team members provide support and assistance to employees in times of stress and crisis. Their responsibilities may include the following:

- A. Conveying trust and ensuring confidentiality within the guidelines to employees who seek assistance from the Peer Support Program.
- B. Generally, conducting oneself in a way that models and promotes a positive culture of wellness.
- C. Providing non-judgmental emotional support during and after times of personal and/or professional crisis to employees who express the need for assistance.
- D. Supporting employees during tragedies or critical incidents and making proper referrals to professional resources.
- E. Assisting in conducting a debriefing.
- F. Checking on employees who are off work due to extended illness or injury and providing support for those who express the need for assistance.
- G. Being available to employees for additional follow-up support.
- H. Maintaining contact with the Peer Support Team lead regarding program activities without breaching confidentiality.
- I. Agreeing to be contacted and, if necessary, respond at any hour to assist an employee in need.
- J. Attending peer support trainings and quarterly meetings as scheduled.
- K. Peer Support Team members may engage in other responsibilities that assist with the support of employees and their families.

A peer support counselor may not provide peer support to an officer if the officer is seeking assistance for a critical incident to which the peer support counselor is also a witness.

VII. Training

Prior to being assigned, a Peer Support Team member shall complete Initial Peer Support Counselor Training approved by the Office of the Commissioner of Public Safety consistent with Minn. Stat. § 181.9731, subd.1(d).

VIII. Confidentiality

The acceptance and success of the Peer Support Counseling Program is largely dependent upon the observance of strict confidentiality. It is imperative that peer support counselors maintain confidentiality of all information learned about an individual within the guidelines of this program. Under Minn. Stat. § 181.9731, subd. 3, a peer support counselor or any person who receives peer counseling shall not be required to disclose information to a third party that was obtained solely through the provision or receipt of public safety peer counseling except under limited circumstances outlined below. Additionally, these communications are considered private data on individuals under the Minnesota Government Data Practices Act. It is essential that peer counselors advise an employee, prior to any discussion, what the limitations and exceptions are regarding information revealed.

Communications with peer support counselors are subject to disclosure in the following limited circumstances:

- A. The peer support counselor reasonably believes the disclosure is necessary to prevent harm to self by the person in receipt of public safety peer counseling or to prevent the person from harming another person, provided the disclosure is only for the purpose of preventing the person from harming self or others and limited to information necessary to prevent such harm.
- B. The officer receiving public safety peer counseling discloses information that is required to be reported under the mandated reporting laws, including, but not limited to, the reporting of maltreatment of minors under Chapter 260E and the reporting of maltreatment of vulnerable adults under Section 626.557, provided the disclosure is only for the purpose of reporting maltreatment and limited to information necessary to make such a report.
- C. The officer who received public safety peer counseling is deceased and the surviving spouse or administrator of the estate of the deceased emergency service provider gives written consent authorizing disclosure of the information.
- D. The officer who received public safety peer counseling voluntarily testifies, in which case the peer support counselor may be compelled to testify on the same subject.

Communications with CISM Team members are similarly protected from disclosure with the same limited exceptions. *See* Minn. Stat. § 181.9732, subds. 3, 4.

In cases in which disclosure occurs or a question regarding disclosure arises, the officer shall immediately contact the team lead, who shall take the appropriate action.

Peer support counselors must not provide information to supervisors or fellow peer support counselors obtained through peer support contact and should educate supervisors on the confidentiality and disclosure guidelines established by the division.

A peer support counselor must not keep written formal or private records of supportive contacts other than non-identifying statistical records that help document the general productivity of the program (such as number of contacts).

If a peer support counselor is found to have breached confidentiality, they may be subject to dismissal from the team and subject to disciplinary action.

IX. Critical Incident Stress Debriefing

A Critical Incident Stress Debriefing (CISD) should occur as soon as practicable following a critical incident. The director is responsible for ensuring a debriefing is offered by the division, a CISM Team, or another assisting agency. If the division is responsible for providing the debriefing, the team lead will coordinate with the CISM Team responsible for the area where the critical incident occurred. Notes and recorded statements shall not be taken during the debriefing because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident. The debriefing is not part of any investigative process.

Communications during the CISD are strictly confidential between attendees, but CISD communications may not be legally protected from disclosure.

Attendance at the debriefing should include only peer counselors, and/or CISM Team members, and those directly involved in the incident. Attendance at debriefings is entirely voluntary and no employee is required to attend.

By Authority of:

COL Rodmen Smith
Division Director
Division of Enforcement