

Code of Alabama

Title 36. Public Officers and Employees. (Refs & Annos)

Chapter 21. Law Enforcement Officers Generally. (Refs & Annos)

Article 1. General Provisions. (Refs & Annos)

Ala.Code 1975 § 36-21-14

§ 36-21-14. Communications by emergency responders with **peer support members**.

Effective: June 1, 2018

[Currentness](#)

(a) As used in this section, the following terms shall have the following meanings:

(1) **CERTIFIED PEER SUPPORT MEMBER**. A law enforcement officer, firefighter, paramedic, emergency dispatcher, emergency medical technician of an emergency service agency or entity, or a person who is assigned to be a chaplain by an emergency service agency, who has received training in critical incident stress management and who is **certified** as a **peer support member** by the Alabama State Law Enforcement Agency to provide emotional and moral **support** to an emergency responder who needs emotional or moral **support** as a result of job-related stress or an incident in which the emergency responder was involved while acting in his or her official capacity.

(2) **EMERGENCY RESPONDER**. A law enforcement officer, firefighter, paramedic, emergency dispatcher, or emergency medical technician of an emergency service agency or entity.

(3) **PEER SUPPORT EVENT**. Any debriefing, defusing, or coaching session conducted by a **certified peer support member** that involves the emotional or moral **support** of an emergency responder who needs emotional or moral **support** as a result of job-related stress or an incident in which the emergency responder was involved while acting in his or her official capacity.

(b) In order to become a **certified peer support member**, all of the following must apply:

(1) The person must be an emergency responder or a chaplain of an emergency service agency.

(2) The person must complete training in critical stress management or **peer support** by a recognized training agency. Recognized training agencies include, but are not limited to, the International Critical Incident Stress Foundation, the National Organization for Victim Assistance, the American Red Cross, and the Regional Counterdrug Training Academy.

(3) The person must be designated in writing by a sheriff, police chief, fire chief, or other head of a law enforcement agency, fire department, rescue agency, or a public safety agency to provide **peer support** services to an emergency responder or the spouse of an emergency responder. Only one **certified peer support** person may be assigned per any specific **peer support** event.

(c) Any communication made by an emergency responder to a **certified peer support member** during a **peer support** event is privileged. The emergency responder may waive the privilege. The **certified peer support member** may not be compelled to testify or otherwise disclose the contents of any privileged communication under this section.

(d) A communication made by an emergency responder to a **certified peer support member** is not privileged if any of the following apply:

(1) The **certified peer support member** was an initial emergency service responder, a witness, or a party to the incident that prompted the communication to the **certified peer support member**.

(2) The communication reveals the intended commission of a crime or otherwise harmful act, and the disclosure of the communication is determined to be necessary by the **certified peer support member** to protect any person from a clear and imminent risk of mental or physical harm or to forestall a serious threat to public safety.

(3) The communication reveals that a crime was committed.

(4) A court determines the communications are not privileged under the exceptions provided in [Rule 503\(d\), Alabama Rules of Evidence](#).

Credits

([Act 2018-416, § 1.](#))

Ala. Code 1975 § 36-21-14, AL ST § 36-21-14
Current through Act 2018-579.