

**CHAPTER 507—LAW ENFORCEMENT SUICIDE
DATA COLLECTION**

Sec.
50701. Information on suicide in law enforcement.

§ 50701. Information on suicide in law enforcement

(a) Establishment

Not later than 1 year after June 16, 2020, the Attorney General, acting through the Director of the Federal Bureau of Investigation, shall establish, for the purpose of preventing future law enforcement suicides and promoting understanding of suicide in law enforcement, the Law Enforcement Officers Suicide Data Collection Program, under which law enforcement agencies may submit to the Director information on suicides and attempted suicides within such law enforcement agencies, including information on—

- (1) the circumstances and events that occurred before each suicide or attempted suicide;
- (2) the general location of each suicide or attempted suicide;
- (3) the demographic information of each law enforcement officer who commits or attempts suicide;
- (4) the occupational category, including criminal investigator, corrections officer, line of duty officer, 911 dispatch operator, of each law enforcement officer who commits or attempts suicide; and
- (5) the method used in each suicide or attempted suicide.

(b) Policies

The Federal Bureau of Investigation shall work with the Confidentiality and Data Access Committee of the Federal Committee on Statistical Methodology to develop publication policies to manage the risk of identity disclosure based upon the best practices identified by other Federal statistical programs.

(c) Report

Not later than 2 years after June 16, 2020, and annually thereafter, the Attorney General, acting through the Director of the Federal Bureau of Investigation, shall submit to Congress and publish on the website of the Federal Bureau of Investigation a report containing the information submitted to the Director pursuant to subsection (a).

(d) Confidentiality

The report described under subsection (c) may not include any personally identifiable information of a law enforcement officer who commits or attempts suicide.

(e) Definitions

In this section—

- (1) the term “law enforcement agency” means a Federal, State, Tribal, or local agency engaged in the prevention, detection, or investigation, prosecution, or adjudication of any violation of the criminal laws of the United States, a State, Tribal, or a political subdivision of a State;
- (2) the term “law enforcement officer” means any current or former officer (including

a correctional officer), agent, or employee of the United States, a State, Indian Tribe, or a political subdivision of a State authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of the criminal laws of the United States, a State, Indian Tribe, or a political subdivision of a State; and

(3) the term “State” means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(Pub. L. 116-143, § 2, June 16, 2020, 134 Stat. 644.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

For short title of Pub. L. 116-143, which is classified to this chapter, as the “Law Enforcement Suicide Data Collection Act”, see section 1 of Pub. L. 116-143, set out as a Short Title of 2020 Amendment note under section 10101 of this title.

CHAPTER 509—CONFIDENTIALITY OPPORTUNITIES FOR PEER SUPPORT COUNSELING

Sec.
50901. Confidentiality of peer support communications.
50902. Best practices and support.

§ 50901. Confidentiality of peer support communications

(a) Definitions

In this section:

(1) Law enforcement agency

The term “law enforcement agency” means a Federal agency that employs a law enforcement officer.

(2) Law enforcement officer

The term “law enforcement officer” has the meaning given the term “Federal law enforcement officer” in section 115 of title 18.

(3) Peer support communication

The term “peer support communication” includes—

- (A) an oral or written communication made in the course of a peer support counseling session;
- (B) a note or report arising out of a peer support counseling session;
- (C) a record of a peer support counseling session; or
- (D) with respect to a communication made by a peer support participant in the course of a peer support counseling session, another communication, regarding the first communication, that is made between a peer support specialist and—
 - (i) another peer support specialist;
 - (ii) a staff member of a peer support counseling program; or
 - (iii) a supervisor of the peer support specialist.

(4) Peer support counseling program

The term “peer support counseling program” means a program provided by a law enforcement agency that provides counseling services from a peer support specialist to a law enforcement officer of the agency.

(5) Peer support counseling session

The term “peer support counseling session” means any counseling formally provided through a peer support counseling program between a peer support specialist and 1 or more law enforcement officers.

(6) Peer support participant

The term “peer support participant” means a law enforcement officer who receives counseling services from a peer support specialist.

(7) Peer support specialist

The term “peer support specialist” means a law enforcement officer who—

- (A) has received training in—
 - (i) peer support counseling; and
 - (ii) providing emotional and moral support to law enforcement officers who have been involved in or exposed to an emotionally traumatic experience in the course of employment; and
- (B) is designated by a law enforcement agency to provide the services described in subparagraph (A).

(b) Prohibition

Except as provided in subsection (c), a peer support specialist or a peer support participant may not disclose the contents of a peer support communication to an individual who was not a party to the peer support communication.

(c) Exceptions

Subsection (b) shall not apply to a peer support communication if—

- (1) the peer support communication contains—
 - (A) an explicit threat of suicide by an individual in which the individual—
 - (i) shares—
 - (I) an intent to die by suicide; and
 - (II) a plan for a suicide attempt or the means by which the individual plans to carry out a suicide attempt; and
 - (ii) does not solely share that the individual is experiencing suicidal thoughts;
 - (B) an explicit threat by an individual of imminent and serious physical bodily harm or death to another individual;
 - (C) information—
 - (i) relating to the abuse or neglect of—
 - (I) a child; or
 - (II) an older or vulnerable individual;
 - or
 - (ii) that is required by law to be reported; or
 - (D) an admission of criminal conduct;
- (2) the disclosure is permitted by each peer support participant who was a party to, as applicable—
 - (A) the peer support communication;
 - (B) the peer support counseling session out of which the peer support communication arose;
 - (C) the peer support counseling session of which the peer support communication is a record; or
 - (D) the communication made in the course of a peer support counseling session that the peer support communication is regarding;

(3) a court of competent jurisdiction issues an order or subpoena requiring the disclosure of the peer support communication; or

(4) the peer support communication contains information that is required by law to be disclosed.

(d) Rule of construction

Nothing in subsection (b) shall be construed to prohibit the disclosure of—

- (1) an observation made by a law enforcement officer of a peer support participant outside of a peer support counseling session; or
- (2) knowledge of a law enforcement officer about a peer support participant not gained from a peer support communication.

(e) Disclosure of rights

Before the initial peer support counseling session of a peer support participant, a peer support specialist shall inform the peer support participant in writing of the confidentiality requirement under subsection (b) and the exceptions to the requirement under subsection (c).

(Pub. L. 117-60, §2, Nov. 18, 2021, 135 Stat. 1470.)

Statutory Notes and Related Subsidiaries**SHORT TITLE**

For short title of Pub. L. 117-60, which is classified to this chapter, as the “Confidentiality Opportunities for Peer Support Counseling Act” and also as the “COPS Counseling Act”, see section 1 of Pub. L. 117-60, set out as a Short Title of 2021 Amendment note under section 10101 of this title.

§ 50902. Best practices and support**(a) Definitions**

In this section:

(1) First responder

The term “first responder” has the meaning given the term “public safety officer” in section 10284 of this title.

(2) First responder agency

The term “first responder agency” means a Federal, State, local, or Tribal agency that employs or otherwise engages the services of a first responder.

(3) Peer support counseling program

The term “peer support counseling program” means a program provided by a first responder agency that provides counseling services from a peer support specialist to a first responder of the first responder agency.

(4) Peer support participant

The term “peer support participant” means a first responder who receives counseling services from a peer support specialist.

(5) Peer support specialist

The term “peer support specialist” means a first responder who—

- (A) has received training in—
 - (i) peer support counseling; and
 - (ii) providing emotional and moral support to first responders who have been involved in or exposed to an emotionally traumatic experience in the course of the duties of those first responders; and