

SB 212 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 2/9, 3/16

WHAT THE MEASURE DOES:

Makes confidential communications made between an employee of the Oregon Youth Authority and a peer support team member with certain exceptions. Defines relevant terms for purposes of provision. Exempts from Oregon's public records laws all notes, records, or reports arising out of a peer support check-in sessions.

ISSUES DISCUSSED:

- Existing peer support program
- Best practices in similar programs including confidentiality
- Implications of public records exemption
- Exceptions from confidentiality provision

EFFECT OF AMENDMENT:

-1 Replaces measure. Defines relevant terms. Makes Oregon Youth Authority peer support communications confidential and prohibited from disclosure by peer support team member unless participant expressly consents to disclosure. Exempts peer support communications from public records law.

BACKGROUND:

The Oregon Youth Authority (OYA) is a fundamental partner in Oregon's juvenile justice system. OYA's statutory purpose is to protect the public, hold youth offenders accountable for their actions, and provide youth offenders with opportunities for reform in safe environments. OYA employs approximately 1,001 people who work both inside and outside the agency's 26 close-custody living units in nine facilities throughout the state. Many employees provide direct care for youth, and may be exposed to potentially emotionally traumatic incidents by reason of their employment. OYA aims to support employees exposed to trauma by encouraging staff to engage in peer support check-in sessions. To be a peer support team member, a person must be designated by OYA and have completed required training.

Senate Bill 212 would make most communications made between an employee of the OYA and a peer support team member confidential and exempt from public records laws, with the exception of certain communications relating to threats of suicide or homicide, subject to mandatory reporting, or containing admissions of criminal conduct. Additionally, peer support team members would be permitted to communicate amongst themselves regarding check-in sessions.