SB 212 A -A2, -A3   STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By:	Lucy Ohlsen, LPRO Analyst
Meeting Dates:	4/20, 5/10, 5/17

WHAT THE MEASURE DOES:

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. Defines relevant terms.

REVENUE: No revenue impact.

FISCAL: No fiscal impact.

SENATE VOTE: Ayes, 24; Nays, 5; Excused, 1.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-A2 Expands confidentiality provisions in measure to apply to county juvenile departments.

-A3 Modifies confidentiality exception related to admissions of criminal conduct, specifying that any admission of criminal conduct, regardless of time and place, is not confidential.

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 A makes most communications made between an employee of 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, unless participant expressly consents to disclosure.