

## SENATE AMENDMENTS TO SENATE BILL 212

By COMMITTEE ON JUDICIARY

March 22

1 On page 1 of the printed bill, delete lines 4 through 30.

2 Delete page 2 and insert:

3 **“SECTION 1. (1) For the purposes of this section:**

4 **“(a) ‘Participant’ means an employee of the Oregon Youth Authority who engages in a**  
5 **peer support check-in session or who communicates with a peer support team member about**  
6 **engaging in a peer support check-in session.**

7 **“(b) ‘Peer support check-in session’ means a meeting between a participant and a peer**  
8 **support team member to provide emotional and moral support for the participant.**

9 **“(c) ‘Peer support communication’ means a communication made by a participant or peer**  
10 **support team member during a peer support check-in session and any communication made**  
11 **by a peer support team member or participant to facilitate or to follow up on a peer support**  
12 **check-in session.**

13 **“(d) ‘Peer support team member’ means a person described in subsection (3) of this sec-**  
14 **tion.**

15 **“(2) Peer support communications are confidential and may not be disclosed by the peer**  
16 **support team member.**

17 **“(3) The provisions of this section apply only to peer support check-in sessions conducted**  
18 **by a person who:**

19 **“(a) Has been designated by the youth authority to act as a peer support team member;**

20 **“(b) Has received training in providing emotional and moral support, intervening and**  
21 **mentoring through crises and assessing and referring to services for juvenile corrections**  
22 **personnel who have been involved in emotionally traumatic incidents; and**

23 **“(c) Receives annual continuing education.**

24 **“(4) Peer support communications are not public records for the purpose of ORS 192.311**  
25 **to 192.478.**

26 **“(5)(a) Peer support communications are not admissible in any judicial proceeding, ad-**  
27 **ministrative proceeding, arbitration proceeding or other adjudicatory proceeding. Communi-**  
28 **cations and information made confidential under this section may not be disclosed by the**  
29 **peer support team member in any judicial proceeding, administrative proceeding, arbitration**  
30 **proceeding or other adjudicatory proceeding.**

31 **“(b) The limitations on disclosure imposed by paragraph (a) of this subsection:**

32 **“(A) Include disclosure during any discovery conducted as part of an adjudicatory pro-**  
33 **ceeding.**

34 **“(B) Do not apply if the participant has expressly consented to the disclosure.**

35 **“(6) Nothing in this section limits the discovery or introduction in evidence of knowledge**

1 **acquired by youth authority personnel from observation made during the course of employ-**  
2 **ment, or material or information acquired during the course of employment, that is other-**  
3 **wise subject to discovery or introduction in evidence.**

4 **“(7) This section does not apply to:**

5 **“(a) Any threat of suicide or homicide made by a participant in a peer support check-in**  
6 **session, or any information conveyed in a peer support check-in session relating to a threat**  
7 **of suicide or homicide;**

8 **“(b) Any information relating to abuse of children or of the elderly, or other information**  
9 **that is required to be reported by law; or**

10 **“(c) Any admission of criminal conduct that occurs in a youth authority work location**  
11 **or while performing official duties.**

12 **“(8) Notwithstanding subsection (2) of this section, nothing in this section prohibits any**  
13 **communications between peer support team members who conduct peer support check-in**  
14 **sessions.”.**

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