

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE BILL 212**

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 Author-**
5 **ity who engages in a peer support check-in session or who communi-**
6 **cates with a peer support team member about engaging in a peer**
7 **support check-in session.**

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

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

16 **“(d) ‘Peer support team member’ means a person described in sub-**
17 **section (3) of this section.**

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

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

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

3 “(b) Has received training in providing emotional and moral sup-
4 port, intervening and mentoring through crises and assessing and re-
5 ferring to services for juvenile corrections personnel who have been
6 involved in emotionally traumatic incidents; and

7 “(c) Receives annual continuing education.

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

10 “(5)(a) Peer support communications are not admissible in any ju-
11 dicial proceeding, administrative proceeding, arbitration proceeding
12 or other adjudicatory proceeding. Communications and information
13 made confidential under this section may not be disclosed by the peer
14 support team member in any judicial proceeding, administrative pro-
15 ceeding, arbitration proceeding or other adjudicatory proceeding.

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

18 “(A) Include disclosure during any discovery conducted as part of
19 an adjudicatory proceeding.

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

22 “(6) Nothing in this section limits the discovery or introduction in
23 evidence of knowledge acquired by youth authority personnel from
24 observation made during the course of employment, or material or
25 information acquired during the course of employment, that is other-
26 wise subject to discovery or introduction in evidence.

27 “(7) This section does not apply to:

28 “(a) Any threat of suicide or homicide made by a participant in a
29 peer support check-in session, or any information conveyed in a peer
30 support check-in session relating to a threat of suicide or homicide;

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

3 **“(c) Any admission of criminal conduct that occurs in a youth au-**
4 **thority work location or while performing official duties.**

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

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