

SB 212 B STAFF MEASURE SUMMARY

Carrier: Rep. Kropf

House Committee On Judiciary

Action Date: 05/17/23

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 10-0-0-0

Yeas: 10 - Andersen, Bynum, Chaichi, Conrad, Kropf, Lewis, Morgan, Reynolds, Tran, Wallan

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 4/20, 5/10, 5/17

WHAT THE MEASURE DOES:

Makes Oregon Youth Authority and county juvenile department 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.

ISSUES DISCUSSED:

- Examples of situations where peer support is needed
- Inclusion of county juvenile departments
- Comparison of similar confidential programs

EFFECT OF AMENDMENT:

Expands confidentiality provisions in measure to apply to county juvenile departments. 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 B makes most communications made between an employee of OYA or a county juvenile department 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.