

April 15, 1999

S 995. POLICE PEER COUNSELOR PRIVILEGE. ESTABLISHING A TESTIMONIAL PRIVILEGE FOR POLICE PEER SUPPORT GROUP COUNSELORS. Creates GS 8-53.9 to provide that any communication to a peer support counselor made by a sworn law enforcement officer who is receiving counseling offered by the officer's employing law enforcement agency, and communication made by such an officer's immediate family, is privileged. The privilege does not apply if the officer was an initial responding officer, a witness, or a party to the incident prompting delivery of counseling services or the communication was made to a counselor not acting in his or her official counseling capacity. Also contains provisions limiting privilege in regard to reporting suspected child abuse or neglect.

Intro. by Odom.

Ref. to Judiciary II

GS 8

April 27, 1999

S 995. POLICE PEER COUNSELOR PRIVILEGE. Intro. 4/15/99. Senate committee substitute makes the following changes to 1st edition. Changes the definition of "client officer" in GS 8-53.9, to "client law enforcement employee," defined as "any law enforcement employee or a member of his or her immediate family who is in need of and receives peer support counseling services offered by the officer's employing law enforcement agency." Rewrites subsection (b) of the statute to provide that peer counselors shall not be required to disclose information that was necessary to enable the counselor to render support services and that information may be furnished only with authorization of the client or if deceased, the executor, administrator or next of kin. Authorizes a judge to compel disclosure if necessary to the proper administration of justice. Deletes exception to the privilege for testimony concerning an incident if the incident prompted the assignment of the peer support group counselor.

July 7, 1999

S 995. POLICE PEER COUNSELOR PRIVILEGE. Intro. 4/15/99. House committee substitute makes the following changes to 2nd edition. Changes term "peer support group counselor" to "peer counselor" in GS 8-53.9(a)(3) and changes term "officer" to "employee" in definition. Amends GS 8-53.9(b) to provide that peer counselor shall not disclose privileged communication unless disclosure is authorized by client or, if client is deceased, by executor, administrator, or next of kin, or unless disclosure is necessary to proper administration of justice and is compelled by resident or presiding judge. Adds provision to GS 8-53.9(c) that privilege shall not apply to communications related to a violation of criminal law. Provides that subdivision does not require the disclosure of otherwise privileged communications related to an officer's use of force.

July 13, 1999

S 995. POLICE PEER COUNSELOR PRIVILEGE. Intro. 4/15/99. House amendment makes technical correction in 3rd edition.