



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1071

peer support teams; information; disclosure

Purpose

Prohibits peer support team members from being compelled to disclose privileged information regarding law enforcement officers, firefighters, emergency medical providers and nonsworn civilian employees in a legal proceeding, trial or investigation, unless certain exceptions apply.

Background

Current statute prohibits a member of a critical incident stress management team from being compelled to disclose information in a legal proceeding, trial or investigation if the information is acquired secretly and in confidence from a designated person in the course of the team member's response to a critical incident. A *designated person* is defined as a law enforcement officer, firefighter or emergency medical provider. A member of a critical incident stress management team must have completed appropriate training through a recognized organization and be part of a law enforcement, probation, firefighter or emergency medical provider crisis response team.

The prohibition against compelling the disclosure of privileged information does not apply if: 1) the communication or advice indicates clear and present danger to the designated person who received crisis response services, or to other persons; 2) the designated person who received crisis response services gives express consent to the testimony; 3) the communication or advice is made during the course of a criminal investigation; 4) the designated person who received crisis response services voluntarily testifies, in which case the team member may be compelled to testify on the same subject; or 5) a policy breach exists and that breach amounts to a violation of laws that are normally enforced by law enforcement ([A.R.S. § 38-1111](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits peer support team members from being compelled to disclose privileged information regarding designated persons in a legal proceeding, trial or investigation, unless certain exceptions apply.
2. Defines *peer support team* as a group of individuals that is designated by an agency or an agency's authorized affiliate, that is supervised by a licensed mental health professional and that is trained in all of the following areas:
 - a) compassion fatigue;
 - b) crisis support;
 - c) grief and loss resiliency;
 - d) motivational interviewing; and
 - e) suicide prevention.

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3. Defines *peer support team member* as an individual who has completed training through a recognized organization that offers peer support training or critical incident stress management training and who is part of any of the following:
 - a) a law enforcement crisis response team;
 - b) a probation officer crisis response team;
 - c) a firefighter crisis response team; or
 - d) an emergency medical provider crisis response team.
4. Replaces the definition of *department* with a definition of *agency*, which is defined as the branch of government, political subdivision or Joint Powers Authority (JPA) in which a designated person is employed.
5. Adds designated persons employed by political subdivisions and JPAs as persons that may receive crisis response services from critical incident stress management teams or peer support teams.
6. Adds a civilian employee of an agency to the definition of *designated person*.
7. Defines *civilian employees* as a nonsworn member of an agency or peer support team.
8. Modifies the definition of *emergency medical provider* and *firefighter* to include fire districts and emergency medical services personnel or firefighters under a JPA.
9. Defines *licensed mental health professional* and *member*.
10. Modifies the definition of *crisis response services* to include consultation, risk assessment, referral and onsite crisis intervention services provided by peer support teams.
11. Makes technical changes.
12. Becomes effective on the general effective date.

Prepared by Senate Research

January 19, 2024

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