

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 6: Probation
Chapter 2: Adult Services
Section 6-202.01: Adult Intensive Probation Evidence-Based Practices

A. - K. [No Change]

L. Program Operations.

1. Each probation department shall develop:

a.-l. [No Change]

m. Policies and procedures to ensure the securing, transmission, verification and confirmation of deoxyribonucleic acid (DNA) samples on record with the department of public safety (DPS).

2. Each intensive probation officer or team shall:

a.-t. [No Change]

u. The probation officer shall ~~seek request~~ a criminal restitution order ~~upon the expiration of 90 days, pursuant to A.R.S. § 13-805 (C)(1)(2), for a probationer who is an absconder as defined in A.R.S. § 13-105(1) on the 91st day, or at the earliest opportunity thereafter, but no later than the 120th day.~~ The probation officer shall ensure the criminal restitution order is not requested prior to the 91st day and that any criminal restitution order is for monies not already ordered in a previous criminal restitution order.

3.-10. [No Change]

11. A.R.S. § 13-610 (C) provides:

Within thirty days after a person is convicted and placed on probation without a term of incarceration or adjudicated delinquent and placed on probation, the county probation department shall secure a sufficient sample of blood or other bodily substances for deoxyribonucleic acid testing and extraction from the person if the person was convicted of or adjudicated delinquent for an offense listed in this section. The county probation department shall transmit the sample to the department of public safety.

A.R.S. § 13-610 (D) provides:

Within thirty days after the arrival of a person who is accepted under the interstate compact for the supervision of parolees and probationers and

who is under the supervision of a county probation department, the county probation department shall secure a sufficient sample of blood or other bodily substances for deoxyribonucleic acid testing and extraction from the person if the person was convicted of an offense that was committed in another jurisdiction that if committed in this state would be a violation of any offense listed in this section and was sentenced to a term of probation. The county probation department shall transmit the sample to the department of public safety.

- a. The adult probation department shall document the date the DNA sample was secured, and the date transmitted to DPS in the tracking system's DNA screen and case record.
- b. Within 60 days of transmission of the sample to DPS, the adult probation department shall verify that the sample was received and recorded by DPS by accessing the DPS link in the tracking system. The adult probation department shall document this verification in the tracking system's DNA screen and case record.
- c. If the 60-day verification does not indicate receipt and recording of the sample by DPS, the adult probation department shall repeat the verification in L(11)(b) every six months until determining that the sample was received and recorded by DPS. The adult probation department shall document each attempted verification in the case record. Once DPS has recorded the sample, the adult probation department shall enter the date in the tracking system's DNA screen and case record.
- d. If DNA was previously secured, transmitted and verified by an agency, other than a probation department, the adult probation department shall confirm DNA is recorded by DPS by accessing the DPS link in the tracking system within 30 days of a probationer's placement on probation, initial release from custody, or acceptance of incoming interstate compact.
- e. If DNA was previously secured, transmitted and verified by a probation department, the adult probation department shall confirm DNA is recorded by DPS by reviewing the DNA screen in the tracking system and document the confirmation in the case record.
- f. If the DNA screen in the tracking system is incomplete, the adult probation department shall complete the DNA process described herein.

M. – P. [No Change]