

IN THE SUPREME COURT OF THE STATE OF ARIZONA
ADMINISTRATIVE OFFICE OF THE COURTS

In the Matter of:)	
)	
SUSPENDING ARIZONA CODE OF)	Administrative Directive
JUDICIAL ADMINISTRATION)	No. 2020 - <u>05</u>
PROBATION OFFICER SAFETY)	
TRAINING REQUIREMENTS DUE TO)	
A PUBLIC HEALTH EMERGENCY)	
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Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona has declared a statewide emergency pursuant to A.R.S. § 26-303 and in accordance with A.R.S. § 26-301(15).

The Arizona Code of Judicial Administration contains numerous requirements. In Administrative Order No. 2020-45, the Chief Justice ordered that the Administrative Director “may suspend the requirements of any section of the Code of Judicial Administration if he determines that public health emergency measures significantly impair the ability to operate the program or the parties governed by that code section.”

During this public health emergency, Defensive Tactics Trainings have been suspended., and officers are not able to receive or complete Defensive Tactics Training. ACJA 6-107(G)(1) requires completion of Defensive Tactics prior to service in a Safety Sensitive Position. It provides:

“All officers in safety sensitive positions and prior to assignment to safety sensitive duties shall and all other officers may:... (b) Demonstrate, by proficiency testing, competency and understanding of the physical and verbal techniques and tactics presented at the defensive tactics training academy.

In order to address this requirement while Defensive Tactics Classes are not available during this public health emergency, it is necessary to develop standards for a chief probation officer or director of juvenile court services to use prior to assigning a probation or surveillance officer who has not completed the Defensive Tactics Academy, required by ACJA § 6-107(G)(1)(b).

Therefore, pursuant to Administrative Order No. 2020-45,

IT IS DIRECTED that the chief probation officer or director of juvenile court services may assign a probation or surveillance officer who has not completed the Defensive Tactics Academy, required by ACJA § 6-107(G)(1)(b), to safety sensitive duties during the public health emergency if:

- a. The officer has been granted an extension of time to complete the Defensive Tactics Academy consistent with ACJA § 6-107(G)(8);
- b. The officer has demonstrated competency and understanding of the physical and verbal techniques and tactics provided in Officer Safety Orientation;
- c. The chief probation officer or director of juvenile court services has a documented reason to believe the officer can perform the assigned job duties consistent with the safety of the officer, other officers and the public during the health emergency; and
- d. The chief probation officer or director of juvenile courts ensures that the officer completes the Defensive Tactics Academy as soon as is practical after the public health emergency.

IT IS FURTHER DIRECTED that the Director of the Education Services Division of the Administrative Office of the Courts shall administer the Defensive Tactics Academy waivers and extensions described in ACJA § 6-107 during the public health emergency.

Dated this 1st day of April, 2020.

DAVID K. BYERS
Administrative Director of the Courts