

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
AMENDING ARIZONA CODE OF) Administrative Order
JUDICIAL ADMINISTRATION) No. 2021 - 22
§ 6-113: FIREARMS STANDARDS) (Affecting Administrative
) Order No. 2014-127)
)
_____)

Pursuant to the Arizona Code of Judicial Administration (ACJA) § 1-201(E), the Chief Justice may adopt technical changes in existing administrative code sections by administrative order without prior distribution for comment and action by the Arizona Judicial Council.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the amendments to ACJA § 6-113 as indicated on the attached document are adopted. All other provisions of § 6-113 remain unchanged and in effect.

Dated this 3rd day of February, 2021.

ROBERT BRUTINEL
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 6: Probation

Chapter 1: General Administration

Section 6-113: Firearms Standards

A. - D. [No change]

E. Request for Authorization to Carry a Handgun.

1. [No change]

2. The chief probation officer or director of juvenile court services shall confirm and document, prior to granting authorization, that the requesting officer has:

a. – f. [No change]

g. Submitted a form, approved by AOC, attesting that:

(1) – (2) [No change]

(3) The officer is not addicted to alcohol, cannabis/marijuana, or prescription drugs;

(4) – (7) [No change]

3. – 4. [No change]

F. [No change]

G. Procedures for Handgun Authorization, Denial, Temporary Suspension or Revocation

1. – 5. [No change]

6. The chief probation officer or director of juvenile court services shall deny, revoke, or temporarily suspend authorization to carry a handgun for the following reasons:

a. – g. [No change]

h. Any use of alcoholic beverages or cannabis/marijuana on duty or excessive use of alcoholic beverages or cannabis/marijuana off duty that affects job performance;

i. – j. [No change]

k. The addiction to alcohol, ~~or~~ prescription drugs, or cannabis/marijuana that would interfere with the safe use of a handgun and render the officer unfit to carry a handgun;

l. [No change]

- ~~m.~~ An officer is found to have illegally used marijuana for any purpose within the past three years;
- ~~n.o.~~ Transfer or reassignment of an officer to an assignment or unit where carrying a handgun is not authorized pursuant to (D)(2) of this section;
- ~~o.p.~~ The authorization was based solely upon a specific personal risk to the officer and the risk is determined to no longer exist;
- ~~p.q.~~ Arrest for an offense punishable as a felony or for a misdemeanor involving the carrying or use of a firearm;
- ~~q.r.~~ Discharge of a firearm by an officer in violation of any municipal, county or state law, regulation or policy;
- ~~r.s.~~ Drawing a firearm or use of a non-lethal defensive weapon in violation of any municipal, county or state law, regulation or policy;
- ~~s.t.~~ Any circumstance, temporary or permanent, other than time in service, which leads the chief probation officer or director of juvenile court services to believe that arming the officer could place that officer, other staff, probationers or the public in jeopardy; or
- ~~t.u.~~ Failure to successfully complete the annual re-qualification program and participate in required practice sessions.

7. – 9 [No change]

H. [No change]

I. Restrictions for Carrying Firearms. An officer authorized to carry and use a firearm on duty is prohibited from carrying department issued firearms under the following conditions:

1. While in a condition resulting from the use of alcohol, cannabis/marijuana, or medication where the officer’s motor skills, reflexes, or judgment could be adversely affected or while displaying evidence of mental or emotional instability;
2. – 7. [No change]

J. - U. [No change]