

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
SPECIAL ACCESS TO RECORDS AND)
INFORMATION TO FACILITATE THE)
DRUG AND ALCOHOL TESTING OF)
ADULT PROBATIONERS)
_____)
)

Administrative Order
No. 2016 - 136

Arizona courts order probationers to submit to drug and alcohol testing. Drug and alcohol testing supports probationer sobriety and deters continued illegal drug and/or alcohol use. In order to carry out effective drug and alcohol testing, county probation departments contract with drug and alcohol testing laboratories for the detection, screening, and confirmation of drug and alcohol testing samples.

The Administrative Office of the Courts (AOC) is the central repository for the electronic Arizona Probation Enterprise Tracking System (APETS) for all matters related to criminal case management of probationers on probation. Treatment Assessment Screening Center (TASC) currently provides the AOC with electronic drug and alcohol testing results that are automatically populated in the APETS system. Adult probation officers currently manually enter demographic information to initiate a drug or alcohol testing referral. This manual entry of data leaves room for error and inconsistencies, resulting in bad data that needs to be cleaned.

The emergence of better technology in sharing and transmitting information allows AOC to enter into data sharing agreements to make probation officer's drug and alcohol referral process more efficient, accurate, and timely, reducing or eliminating the need for manual entry and cleanup of data into APETS or the TASC system. Federal policies require drug and alcohol data sharing to be in Extensible Markup Language format pursuant to the National Information Exchange Model. A two-way data exchange allows TASC to promote evidence-based drug and alcohol testing procedures and better quality assurance of data.

In order to increase the accuracy of data, the AOC has the capability of providing an initial and continual list of all probationers in a county with an agreement for TASC to perform drug and alcohol testing. TASC has the capability to provide and receive information electronically from AOC that will greatly enhance the referral process, support evidence-based drug and alcohol testing and the sobriety of offenders, while holding them accountable to the conditions of probation.

TASC recognizes that some of the information is protected as confidential by court rule or other state or federal statutes or regulations. In a data sharing agreement with this Court, through its Administrative Offices, TASC has agreed to abide by all confidentiality

requirements. TASC shall use the data only to participate in a two-way data exchange consistent with the terms of its agreement with the AOC.

Rule 123, Rules of the Supreme Court has been adopted to “govern public access to the records of all courts and administrative offices of the judicial department of the State of Arizona.” [See Rule 123(a)] That rule also contains specific authorization for employees of government agencies and private organizations serving a public purpose to be granted “such access to court records as required to serve that purpose according to this rule or as provided by any supplemental supreme court policies or court order.” [See Rule 123(c)(6)]

THEREFORE, pursuant to Article VI, Section 3, of the Arizona Constitution and Rule 123, Rules of the Supreme Court,

IT IS ORDERED that the data identified in Exhibit A (attached), be electronically transmitted to TASC for use in performance of its contract with the AOC.

IT IS FURTHER ORDERED that all confidential information provided under this Administrative Order shall be maintained by TASC as confidential in strict compliance with all applicable confidentiality requirements including Rule 123, Rules of the Supreme Court.

Dated this 21st day of December, 2016.

SCOTT BALES
Chief Justice

Exhibit A

Demographic Data (Provided by AOC to TASC)

- APETS Employee RSN
- APETS Client RSN
- Client DOB
- Gender
- Client Last Name
- Client First Name
- Client Middle Name
- Client Suffix Name
- Last 4 SSN
- Risk Level (High Risk, Medium High, Medium Low, Low)
- High Profile Flag
- Division Name
- Unit Name
- Employee Email Address
- Employee Last Name
- Employee First Name
- Employee Middle Name
- Employee Suffix Name
- Employee Phone Number
- Risk % in 3 Domains:
 - Drug
 - Alcohol
 - Mental Health
- Caseload Name
- Caseload RSN
- Division RSN
- Unit RSN
- County Code
- Location Code
- Location Reason
- State Code
- Supervision Type Code