

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
RELEASE TO LAW ENFORCEMENT) Administrative Order
OF INFORMATION IN RECORDS) No. 2018 - 25
MAINTAINED IN THE ADULT)
PROBATION ENTERPRISE TRACKING)
SYSTEM)
_____)

The Administrative Office of the Courts (AOC) maintains the Adult Probation Enterprise Tracking System (APETS). APETS is the statewide adult probation case management system and repository for records kept during the time an offender is on probation. All Arizona Probation Departments use and provide data and information to APETS. These records are the work product of probation officers and are closed from public inspection. [See Rule 123(d)(2)(A), Rules of the Supreme Court]

Rule 123 “govern[s] public access to the records of all courts and administrative offices of the judicial department of the State of Arizona.” [See Rule 123(a)] This 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)]

The Arizona Code of Judicial Administration (ACJA) provides that custodians of court or probation records may provide case records or data to federal, state, tribal, and local government agencies and private organizations, the objective of which is to serve a public purpose, such as criminal justice, child welfare, licensing, mental health treatment, or research for scholarly or governmental purposes. [See *ACJA § 1-606: Providing Case Record Access to Public Agencies or to Serve a Public Purpose*]

Arizona law enforcement agencies have requested and have a need for certain information that is maintained in APETS to serve the public purposes of officer safety and public protection. Chief probation officers of adult probation departments statewide support providing this information and request an order from this Court authorizing the release of certain data contained in APETS to law enforcement agencies.

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 authorized to be released includes:

Name:	Last, First, Middle, Suffix (including any aliases)
Address:	Primary Address (street, apt#, city, state, zip)
Date of Birth:	
Supervising Entity:	Primary county
Supervising Officer:	Name and contact information
Supervision Type:	Intensive, standard, unsupervised
Start Date:	
End Date:	Estimated
Offenses:	

IT IS FURTHER ORDERED that each probation department, on behalf of the superior court, is authorized to enter into agreements permitting the extraction from APETS of the data identified above for people placed on probation in that county and the transmission of that data to the Arizona law enforcement agency named in the agreement.

IT IS FURTHER ORDERED that any agreement entered into pursuant to this Order shall include the requirements that the agency shall not publish or re-disseminate the data in any form and shall only use the data for authorized law enforcement purposes.

Dated this 4th day of April, 2018.

SCOTT BALES
Chief Justice