

**STAFF SAFETY ADVISORY COMMITTEE (SSAC)
SUBCOMMITTEE OF THE COMMITTEE ON PROBATION (COP)**

**MINUTES
APRIL 27, 2009
10:00 A.M. - 2:00 P.M.**

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS (AOC)
1501 WEST WASHINGTON
CONFERENCE ROOMS 345A&B**

MEMBERS PRESENT:

Livingston Sutro, Chair	Steve Nesky
David F. Sanders, Vice Chair, via teleconference	Lance Nickell
Leslie Anderson	George Owens
Stephen Arend	Alan Palomino
Carol L. Boone	John Ryder
Patrice Buzan	Saul Schoon
Charles Counts	Tim Schouten
Mike Faust	Mark Smalley
Brenda Flynn	Jon Thompson
Steve Hardy	Dan Tomlinson
Henry Meraz	Mary Walensa
Jim Meyer	Art Waterman

GUESTS:

Paul Hughes
Barbara Ortolano
Fred Santesteban

STAFF:

Kevin Jeffries
Lorraine Lerma

CALL TO ORDER

Livingston Sutro called the meeting to order at 10:00 a.m., welcomed the committee members and guests, and asked everyone to introduce themselves. There are new members to SSAC: Carol Boone, Director, Maricopa-Juvenile; Steve Hardy, Deputy Chief, Acting CPO, Yuma-Adult, replaced Marty Krizay; and Tim Schouten, IPS Supervisor, Maricopa-Adult, replaced Lester James.

I. APPROVAL OF THE OCTOBER 31, 2008, MINUTES

MOTION: Mary Walensa made a motion to approve the October 31, 2008, meeting minutes to include the Body Armor Update. Alan Palomino seconded the motion. Motion passed unanimously. SSAC 09-01

II. TASERS

Lance Nickell reported on The Taser and its Role in Community Supervision on some incidents Maricopa County Adult Probation had in FY2008. (This report was sent to the committee via email on April 23, 2009. A copy is attached.) Lance is fairly confident in saying numbers 1 through 3, lethal force actions, that taser is not going to be a good tool. They do not want to substitute lethal force with a taser. Number 4, impact weapon, the taser is a decent tool for animals along with the baton, pepper spray, foot, and possibly a firearm depending on the situation. Numbers 5 through 9, empty hand controls, this ranks along with pepper spray and so could a taser. Under topics for discussion, a question was posed as to retreating to a safe location after deploying the taser. The probes need to stay attached in order to deliver additional cycles and one would just be able to retreat as far as the wires would allow, but if there is a need for additional cycles, you would need to stay and not retreat. According to the Fugitive Apprehension Unit TASER Policy, if for safety reasons one has to retreat, it would be better to expend the cartridge and leave and wait for law enforcement.

Lance also reported on the Taser subcommittee's findings. (The report was sent to the committee via email on February 27, 2009. Copies are attached.) The subcommittee could not find any extensive medical research on tasers used on juveniles.

Paul Hughes (TASER International) raised an issue to be considered perhaps for safety considerations or for other reasons the officer saw it necessary to allow them to retreat, that you choose a force to be justified when you are applying it in the field. Paul also mentioned there are two groups of studies on the medical testing that have been done: animal and human studies. They are always checking for cardiac safety, no other types of interactions, and the way that the testing is done is they look at the person's physiology not their age. He is not aware of any specific juvenile studies other than testing for safety all the way down to a body mass of 75 pounds.

In order to make any reasonable recommendations to COP, a lengthy discussion ensued.

MOTION: Alan Palomino made a motion to move forward with a juvenile pilot

program in the state of Arizona. George Owens seconded the motion.

After further discussion, Alan amended his motion.

MOTION: Alan Palomino amended his original motion to move forward with a juvenile pilot program with Mohave County and Yuma County to begin as soon as policy is developed and approved, commence no later than August 1, 2009, and to run 12 to 18 months. Stephen Arend seconded the motion. The motion was approved with 21 votes, with 2 opposed, and with 1 abstention. SSAC 09-02.

MOTION: Patrice Buzan made a motion to collect data by tallying the numbers of use of force incidents that are made against juveniles that come into statewide juvenile detention centers. Carol Boone seconded the motion. The motion was approved with 18 votes, with 1 opposed, and with 5 abstentions. SSAC 09-03.

Patrice suggested, and concurred by Brenda Flynn, that the Safety Coordinators from each county tally the data.

ACTION ITEM: Patrice Buzan, Brenda Flynn, and Maricopa County Juvenile Researcher to collect and analyze the data.

Livingston thanked Lance and the subcommittee for the excellent job.

III. OFFICER SAFETY STRATEGIC PLANNING SESSION

The following suggestions arrived from the planning session held on December 12, 2008, in regards to training:

- A. Final Report
 - 1. Robert Thornton's final report gave a glowing report.
- B. Pre-employment physicals
- C. Lethal force against vehicle
 - 1. This is addressed in the FA Standards Code
 - 2. Certification Office and Field Safety Manual will have talking points will address what officers should and should not do.
- D. TASER
- E. Stun Gun
 - 1. This is not very effective in the dry stun mode, it is simply a pain compliance tool
- F. Team Work (vs. Radio)
 - 1. Mr. Thornton had said that having a partner was greater insurance against some incident occurring in the field than just having a radio and operating alone
- G. X-training with L.E. for safe schools
- H. Dealing with scenario-based training failures
- I. Advanced instructor training

1. Meeting is scheduled May 11-15, 2009, with all FA Instructors for additional training.
 2. Once there is additional curriculum, there will be additional training for the DT Instructors and then will be rolled out statewide.
- J. Gender-based self-defense (ground)
1. AOC staff is moving on this
- K. Holstering in probation offices
1. This was only a concern by one department and will be talked to the department directly

Kevin Jeffries reported that the Lead DT Instructors decided to incorporate additional ground defense into prone self-defense. Kevin and Barbara Ortolano will take the curriculum to COPE once it is completed. Once the curriculum is approved, it will be rolled out statewide.

Livingston asked the committee if anybody comes up with ideas generated by what they discussed today or anything else they may have heard at the summit to notify him and will put them on future agendas.

IV. OFFICE SAFETY RELATED CONTRACTS UPDATE

Fred Santesteban gave an update on the various contracts associated with officer safety that are set-up for use by the departments (handout attached). He mentioned he will have to get bids on equipment that ranges everything from batons to pepper spray to holsters, cuffs, etc. He asked the committee to notify him by the end of the day of companies that may be interested in bidding on this equipment contract.

V. NON AGENDA ITEMS

Livingston will give the committee feedback regarding the motions made today after the COP meeting, during the week of May 11, 2009.

VI. ADJOURNMENT

Livingston thanked everyone for coming and wished everyone a safe and happy journey home.

MOTION: Mary Walensa made a motion to adjourn. Charles Counts seconded the motion. Motion passed unanimously. SSAC 09-04.

The meeting adjourned at 11:50 A.M.