



IN THE SUPREME COURT OF THE STATE OF ARIZONA

ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
EXECUTIVE OFFICE

In The Matter Of:)
)
ESTABLISHMENT OF AN AD HOC)
COMMITTEE TO STUDY PROBATION)
OFFICER SAFETY AND TRAINING)
)

Administrative Order

No. 2001- 32

On March 15, 2001, The Arizona Judicial Council approved Section 6-105 of the Arizona Code of Judicial Administration, regarding the powers and duties of probation and surveillance officers. Included within the scope of this Code section, consistent with Arizona Revised Statutes (A.R.S.) section 12-253, are the duties of probation officers to, among other things:

1. Exercise general supervision and observation over persons under suspended sentence and obtain, assemble and report to the court information concerning the conduct of these persons.
2. Bring defaulting probationers into court when in the judgment of the officer probationer conduct justifies revocation of suspension of a sentence by the court.
3. Serve warrants, make arrests and bring before the court persons who are under suspended sentences.

In the exercise of the statutory and administrative duties outlined in Section 6-105 and state law, the safety of the probation officers and the public is paramount. Recently, specific issues have arisen regarding arming probation officers. Although this represents only one aspect of the safety issue, the resultant dialogue has revealed that substantial differences exist among probation departments with respect to hiring, training and equipping probation officers. This situation can be improved through the development of clear standards to prepare and protect probation officers and ensure the safety of the public through a uniform and systematic approach.

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

IT IS ORDERED, that the Ad Hoc Committee to Study Probation Officer Safety and Training Standards is established as a subcommittee of the Committee on Probation as follows:

1. **PURPOSE:**

The Committee shall examine current probation department policies and practices regarding probation officer and public safety and recommend to the Arizona Judicial Council, through the Committee on Probation, guidelines for uniform safety training of probation officers, policies for use of force, and equipment standards for all probation departments in the state. These guidelines shall include procedures for determining whether to arm, selectively arm or develop special measures to support officers in making arrests and provisions for transporting probationers to jail.

2. **MEMBERSHIP:**

The membership of the committee shall be appointed by the Chief Justice in a manner that ensures representation from urban and rural counties and a broad spectrum of the probation community, including both supervisory and field staff. The membership also shall include members from the general public. The chairpersons of the Judiciary Committees of the Arizona State Senate and House of Representatives shall be invited to submit the names of proposed members.

3. **MEETINGS:**

Meetings shall be scheduled at the discretion of the Committee chairperson. All meetings shall comply with the Open Meetings Policy of the Arizona Judicial Department.

4. **REPORTS:**

The Committee, through the Committee on Probation, shall submit a preliminary report of its deliberations to the Arizona Judicial Council in October, 2001. A final report of findings and recommendations shall be submitted to the Council in December, 2001.

5. **STAFF:**

The Administrative Office of the Courts shall provide staff for the Committee and, as feasible, may conduct or coordinate research as required by the Committee.

IT IS FURTHER ORDERED that to assist the Committee, the Administrative Office of the Courts shall conduct a survey of current probation department policies and practices regarding the use of force and existing officer training programs and equipment, and present a report of its findings to Committee.

IT IS FURTHER ORDERED that Kathy Waters, Director of the Adult Services Division of the Administrative Office of the Courts, is appointed to serve as the Committee Chairperson.

DATED this 19th day of March, 2001.


THOMAS A. ZLAKET
Chief Justice